



Crl.O.P.No.19347 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 381, 406, 420, 120B @ 381, 408, 420, 120B and 109 IPC, in Crime No.3 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the Annamalai University (Distance Education) conducted an examination in all over Tamilnadu. After the examination, all the answer sheets were collected and stored in the same University for valuation. While that being so, some of the subjects namely Msc Maths and Language answer sheets were missing during valuation. Thereafter, the missing bundles were not found anywhere, leading them to suspect that a fraud had been committed by removing the answer sheet and inserting their answer sheets for monetary gain. Hence, the complaint.



Crl.O.P.No.19347 of 2022

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that there are totally 147 accused in this case in which, the petitioner is arrayed as A112, the petitioner along with other accused illegally stolen the answer sheets and replaced their answer sheets in the said University. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days



Crl.O.P.No.19347 of 2022

from the date on which the order copy made ready, before the Chief Judicial Magistrate Court, Cuddalore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.19347 of 2022

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

17.08.2022

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Crl.O.P.No.19347 of 2022

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Crl.O.P.No.19347 of 2022

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