



Crl.O.P.No.13885 of 2023

Crl.O.P.No.13885 of 2023

A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 468, 471 r/w Section 34 IPC and Section 13(2) of the Prevention of Corruption Act, 1988, in Crime No.1 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that A1 with the help of the petitioner had joined as a Dialysis Operator in Indira Gandhi Government General Hospital by producing a fabricated experience certificate. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner is working as an officer on special duty and on believing the certificate produced by A1, he has appointed her in duty. Later, it was found that the certificate produced by A1 was a fabricated one. He would submit that A1 was selected to work in the Government Hospital, during 2013 and she has rendered her



Crl.O.P.No.13885 of 2023

unblemished service for more than 8 years. Now, the respondent has come out with an allegation that the certificate of A1 is a fabricated one. He would further submit that A1 has been granted anticipatory bail by this court in Crl.O.P.No.11695 of 2023, dated 07.06.2023. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that A1 by producing a fabricated experience certificate had joined the Government General Hospital as a Dialysis Operator and that the petitioner who is the officer on special duty has also colluded with her and given her employment. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with



Crl.O.P.No.13885 of 2023

WEB COPY

certain conditions.

7. 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 from the date on which the order copy made ready, before the learned Principal District Judge, Puducherry 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, every Saturday at 10.30 a.m., until further orders.



Crl.O.P.No.13885 of 2023

A.D.JAGADISH CHANDIRA,J.

Anu

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

[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.

28.06.2023

Anu

Crl.O.P.No.13885 of 2023