



Crl.O.P.No.27126 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.27126 of 2023

Tulsi Yadav @ Sharvan

...Petitioner/Accused-1

Vs.

The State rep. by
The Inspector of Police,
B-1, North Beach Police Station,
Chennai.

(Crime No.289 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.289 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.D.Chandrasekar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner/A1 seeks bail in Crime No.289 of 2023, registered for the offence under Sections 417, 465, 468 & 471 of IPC. He had been remanded to judicial custody on 15.10.2023.

2.The petitioner, had probably thought that he is cleverer than A2 and wrote exam on behalf of A2. That particular examination was for the post of Canteen Attendant. This was found out by the defacto complainant/Deputy Commissioner of Customs. A2, who is from Uttar Pradesh is still absconding and A1, who wrote the exam was caught and remanded to judicial custody on 14.10.2023.

3.Taking all the factors into consideration and the fact that probably A1 is also a victim under the cunningness of A2, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**



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with two sureties (one of the sureties should be either mother or father of the petitioner herein), each for a like sum to the satisfaction of the VII Metropolitan Magistrate, George Town, and on further conditions that :-

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

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders. The condition to appear before the respondent police is to continue until further orders and definitely till A2 is secured by the respondent police.

[c] the petitioner must also disclose the address of A2 in his affidavit to be filed before the concerned Magistrate at the time of executing sureties. The concerned Judicial Magistrate may forward that address of A2 to the Investigating Officer.

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

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



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[f] 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].

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

30.11.2023

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To

1. The VII Metropolitan Magistrate, George Town.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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