



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/01/2023

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PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.79 & 83 of 2023

1.Raghuvansh Mani @ Pande

2.Saket Kumar Singh

... Petitioners/A25 & A26
IN CRL OP(MD).79/2023

Krishna Murari @ Krishna Singh

... Petitioner/A19
IN CRL OP(MD).83/2023

Vs

State Rep.by
The Inspector of Police,
CBCID, Theni District.
(Crime No.1 of 2019).

... Respondent/Complainant
in both petitions

IN BOTH PETITIONS

For Petitioners : Mr.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates
For Respondent : Mr.T.Senthikumar,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

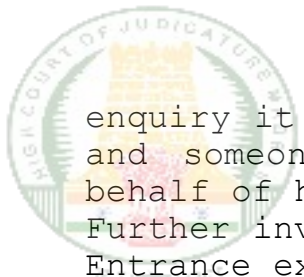
COMMON PRAYER :-

For Bail in Crime No.1 of 2019 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A25, A26 and A19, who were arrested and remanded to judicial custody on 12.12.2022, 12.12.2022 and 08.12.2022 for the offence punishable under Sections 120(B), 419 and 420 of IPC in Crime No.1 of 2019 on the file of the respondent police, seek bail.

2.The case in Crime No.1 of 2019 came to be registered based on the complaint given by Dr.Rajendran, Dean, Theni Medical College and Hospital, Theni District. The allegation as per the complaint is that he entertained doubt with regard to one Udith Surya a student admitted for M.B.B.S course. Enquiry was conducted and during



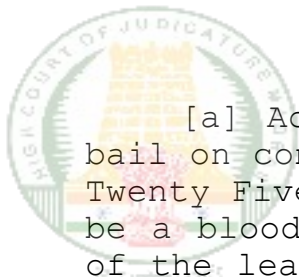
enquiry it was found that he has not appeared for NEET exam and someone else had appeared for NEET Entrance examination on behalf of him. During investigation he and his father were arrested. Further investigation revealed that eight students have appeared for Entrance examination through proxy through impersonators in various exam centres at different places and made them secure good marks and they got admission in various medical colleges by fraudulent means. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners in Crl.O.P(MD) No.79 of 2023 are arrayed as A25 and A26 and the petitioner in Crl.O.P(MD) No.83 of 2023 is arrayed as A19. He would further submit that the petitioners have been implicated as accused based on the confession recorded from one of the parents of the student namely A7. A7 had confessed that A9 had introduced A25 and A26 to arrange impersonators to appear for exam on behalf of his son for securing good marks. He would further submit A19 was arrested on 08.12.2022 and police custody was taken for five days and so far as A25 and A26 are concerned they are arrested on 12.12.2022. He would also submit that major part of the investigation is over and similarly placed accused were granted bail and some others persons have been granted anticipatory bail. The petitioners are ready to abide by any stringent conditions that may be imposed by this court and the petitioners are ready to cooperate with the respondent for the investigation, hence, he seek bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that in the guise of running educational consultants had arranged for impersonators on behalf of the students to appear for NEET exam and they have made the impersonator sit for the examination on behalf of the students to appear for NEET Exams. He would further submit that the impersonators who have appeared for the examination have not been arrested so far. He would further submit that the petitioners have arranged impersonator to appear for examination in various centres through out the country and he would submit that the petitioners are influential persons and there is a chance of interfering with the investigation. He would further submit that the investigation is pending, hence he objected to grant bail to the petitioners.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case and also the submissions made by the learned counsels and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:



[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties (of which one shall be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni and on further conditions that:

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[b] 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.

[c] the petitioners shall stay at Madurai and report before the Office of the Deputy Superintendent of Police, CBCID, No.7, Kamarajar 1st Street, Chinnachookikulam, Near IOB, Madurai 625 002 daily at 10.30a.m., and 5.30 pm., until further orders.

[d] the petitioners shall surrender their passport if any before the concerned Court and in the event if the petitioners not possessing any passport shall file necessary affidavits before the concerned Court stating so. The petitioners shall also give the copy of the Aadhar card to the Court concerned.

[e] the petitioners shall not commit any offences of similar nature.

[f] the petitioners shall not abscond either during investigation or trial.

[g] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-

10/01/2023

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10/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL JAIL, THENI.

4 THE INSPECTOR OF POLICE, CBCID, THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, NO.7, KAMARAJAR 1ST STREET,
CHINNACHOKKIKULAM, NEAR IOB,
MADURAI 625 002.

+2 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-442[I], SR-441[I] dated
10/01/2023)

ORDER

IN

CRL OP(MD). No.79 & 83 of 2023

Date :10/01/2023

RS/VR/SAR.(10.01.2023) 4P-9C