



CRL OP(MD). No.18780 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

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Abirami

... Petitioner / Accused Rank not known

Vs

Originally FIR registered before
The State through
The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
(Crime No.196/2019.)

Subsequently Transferred To
The State Through
the Inspector of Police
CBCID, Theni District,
(In Crime No.1 of 2019)

... Respondent/Complainant

For Petitioner : M/s.Senthil Kumaraiah.J, Advocate.
For Respondent : Mr.R.Sureshkumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.1/2019 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/ accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 419 and 420 of IPC in Crime No.1 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner got MBBS admission through the NEET Examination by impersonation. The case of prosecution is that on information received through e.mail the defacto complainant has verified and suspected that one student of Theni Medical College got MBBS admission through impersonation, hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that now the petitioner was suspended from college for the NEET verification and she is no way connected with the crime. On 23.08.2023 the respondent police served 41(A) Cr.P.C notice to the petitioner and her father, but her father died on 10.01.2022 and thereafter the petitioner has appeared before the respondent police and given explanation, hence he seeks anticipatory to the petitioner.

4.The learned Government Advocate(Crl.Side) appearing for the respondent submitted that petitioner got MBBS admission through the NEET Examination by



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impersonation, hence he objected to grant anticipatory bail to the petitioner.

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5. Taking into consideration the fact that the investigation has been completed and final report has been filed before the concerned Court this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Theni on condition that the petitioner shall execute own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 shall affix her photograph 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 trial Court on receipt of summons

[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



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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.

sd/-
18/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

To

1.The Judicial Magistrate No.I,
Theni.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
CBCID, Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-15431[I] dated
19/10/2023)

ORDER
IN

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Date :18/10/2023

ED/DD/SAR- (25/10/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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