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

Date : 13/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12319 of 2024

Vellairaja @ Vellayaraja

... Petitioner/Sole Accused

Vs

The Inspector of Police,
DCB, Virudhunagar District.
Crime No. 09/2024.

... Respondent/Complainant

D.Pandiaraj

... Petitioner / Defacto Complainant
in CRL MP(MD)No.8018 of 2024

For Petitioner : Mr.N.Anantha Padmanaban,
Senior Counsel
for M/s.Apn Law Associates,

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.R.Ponkarthikeyan, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 09 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent

police for the offences punishable under Sections 465, 466, 468 and 471 IPC, in

<https://www.mhc.tn.gov.in/judis>



Cr.No. 9 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner secured an admission into the Madurai Law College by furnishing a forged mark certificate as if he passed the 12th standard, even though he failed in chemistry. Hence, the complaint.

3. The learned counsel appearing on behalf of the intervener, opposing the application, would submit that the case has to be investigated in detail whether the petitioner himself has forged the mark sheet or whether there is an organized racket involving in the case. He would further submit that any person can study the law in motion and even while joining the law college, he has given only a temporary address.

4.Heard the learned counsel on either side and perused the material records of the case.

5. Considering the nature of allegation that the the petitioner secured an admission into the Madurai Law College by furnishing a forged mark certificate as if he passed the 12th standard, even though he failed in chemistry and considering the fact that there after, he left the seat without any further information and took up study of degree through Open University and thereafter, joined Law and completed the course, I am of the view that the case of the petitioner can be considered for grant of anticipatory bail with certain conditions.



6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 am for a period of four weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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

<https://www.mhc.tn.gov.in/judis>



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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
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Sub-Assistant Registrar (CS - I/ II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
DCB, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M/S.APN LAW ASSOCIATES, Advocate (SR-9995[I] dated
16/08/2024)



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ORDER
IN

CRL OP(MD) No.12319 of 2024

Date :13/08/2024

MK/MGA/23.08.2024 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023