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Crl.O.P.No.5112 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

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THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.5112 of 2025

Nithilan

...Petitioner/A1

Vs.

The Inspector of Police,
C1-Flower Bazaar Police Station,
Flower Bazaar District.
(Crime No.26 of 2025)

...Respondent/Complainant

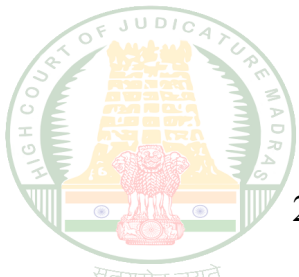
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
his arrest in Crime No.26 of 2025, on the file of the respondent police.

For Petitioner : Mr.C.T.Saravanan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 340(2), 336(2) and 336(3) of
BNS in Crime No.26 of 2025 on the file of the respondent police, seeks
anticipatory bail.



2. The case of the prosecution is that the petitioner had forged a call letter said to have been sent by Tamil Nadu Public Service Commission (TNPSC) for document verification regarding an employment in TNPS Group IV services, and this was brought to the notice of the TNPSC authorities by his brother, and hence a complaint was lodged.

3. The learned counsel for the petitioner submitted that the petitioner had failed in the TNPSC examination and, in order to deceive his parents, he had prepared the forged documents in his house; that when his parents found this letter, they had sent the other son/brother of the petitioner to the TNPSC office for verification; and that it was found that the call letter was forged. He further submitted that the petitioner has not committed any offences as alleged by the prosecution; and that, in any case, the custodial interrogation is not required and sought anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and confirmed the aforesaid facts.

5. Considering the aforesaid facts and the nature of the allegations, this Court is of the view that the custodial interrogation of the petitioner is not



required. Hence, the anticipatory bail is granted to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned **VIII Metropolitan Magistrate, George Town, Chennai**, 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 said Magistrate, on further condition that:

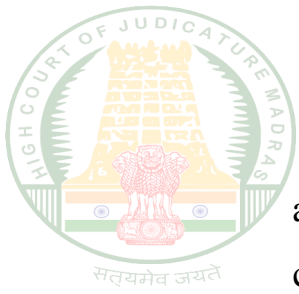
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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 269 of B.N.S.

28.02.2025

dk

To

- 1.The VIII Metropolitan Magistrate,
George Town, Chennai.
- 2.The Inspector of Police,
C1-Flower Bazaar Police Station,
Flower Bazaar District.
- 3.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN,J.

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