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Crl.O.P.No.7817 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7817 of 2025

Satish Kumar @ Sathish Reddy

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Lawspet Police Station,
Pondicherry. (Crime No.194 of 2024)

Respondent(s)

For Petitioner(s) : Mr.S.Jeeva

For Respondent(s) : Public Prosecutor (Puducherry)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Crime No.194 of 2024 dated 10.11.2024 on the file of the Respondent.

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 336(3), 340(2) of BNS and later altered to one under Sections 336(3), 340(2) r/w 3(5) of the BNS, 2023 @ 336 (3), 340(2), 318(4) r/w 3(5) of BNS, 2023 in Crime No.194 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that in order to secure medical seats through NRI Quota in Centralized Admission Committee (CENTAC), Puducherry, the accused had forged NRI documents such as

- i)NRI Certificate of sponsor from the Embassy/High Commission in the country where the sponsor is working;
- ii)Affidavit proving relationship;
- iii)Sworn Affidavit from the Embassy/High Commission or from a Notary abroad.

3. Learned counsel for the petitioner submitted that the allegations are false; that the petitioner had nothing to do with the alleged forging of certificates and uploading the same in the website of CENTAC; that he is running a browsing centre for uploading documents given by the students; that there is nothing on record to show that he had gained monetarily in the alleged transaction. He further submitted that the main accused have been arrested; that some of the co-accused have been granted anticipatory bail by this Court in Crl.O.P.No.2819 and batch of 2025 dated 28.02.2025; that in any case, the case is borne out by records and custodial interrogation of the petitioner, is not required for the purpose of investigation and sought for anticipatory bail.



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4. Learned Public Prosecutor (Puducherry) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the allegation against the petitioner is that he had prepared forged documents, which were already used for the NRI candidate Jyothichana in All India Quota for getting medical seat under NRI Quota and sent it to one Suresh for uploading in the CENTAC, who in turn had given the said documents to Daniel to upload the same on the CENTAC online portal for getting medical seat under NRI Sponsor Quota; and that the petitioner has no bad antecedents.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations, the submissions on either side the fact that the similarly placed co-accused has been granted anticipatory bail by this Court, this Court is of the view that custodial interrogation of the petitioner, is not required. Hence, this Court is inclined to grant anticipatory bail to all the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Pudhucherry**, on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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, everyday at 05.30 p.m., until further orders;

[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;



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[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 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.

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To

1. The Inspector of Police,
Lawspet Police Station,
Pondicherry.
2. The Judicial Magistrate No.I,
Pudhucherry.
3. The Public Prosecutor (Puducherry)
High Court of Madras.



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SUNDER MOHAN J.

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