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Crl.OP.No.8028 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8028 of 2025

S.Raja

... Petitioner/A3

Vs.

The State represented by,
The Deputy Superintendent of Police,
Organized Crime Unit -II,
Crime Branch CID,
Egmore, Chennai - 600 008.
(Crime No.02 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.02 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.R.Gulshan Kumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.03.2025, seeking bail in Crime No.02 of 2024 registered for the offence under Sections 318(4) of BNS altered into Sections 318(4) & 238 of BNS.



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2. The case of the prosecution is that the petitioner along with other accused had leaked the question paper and circulated the same on whatsapp before the B.Ed Examination scheduled by TNTEU from 27.08.2024 to 06.09.2024. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that co-accused was granted bail by this Court and in any case, petitioner is in custody from 04.03.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Per contra, Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the case of the prosecution and submitted that the petitioner has one previous case.

5. Considering, the fact that the co-accused was granted bail in Crl.O.P. No.7821 of 2025; period of incarceration; that though the petitioner has one previous case, he is on bail in that case and since further



custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XI Judicial Magistrate Court at Saidapet, Chennai** and on further conditions 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 everyday 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



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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 B.N.S.

19.03.2025

rkp

To

1. XI Judicial Magistrate Court at Saidapet, Chennai.
2. The Deputy Superintendent of Police,
Organized Crime Unit -II,
Crime Branch CID,
Egmore, Chennai - 600 008.
3. The Superintendent,
Special Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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