



CrI.O.P.No.8313 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.8313 of 2025

Yugesh

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
North Police Station,
Erode District.

(Crime No.70 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.70 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Lakshmipathy

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



CrI.O.P.No.8313 of 2025

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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.02.2025, seeking bail in Crime No.70 of 2025 registered for the offence under Section 112 of BNS, 2023.

2.It is the case of the prosecution that the first accused had submitted a Birth Certificate to the Village Administrative Officer, the defacto complainant herein; that the defacto complainant found the said Birth Certificate is fabricated; that on enquiry it was found that the petitioner herein, who is running E-Seva Centre, had fabricated the said Birth Certificate. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner has no bad antecedents and that in any case, considering the period of incarceration, he may be released on bail.



CrI.O.P.No.8313 of 2025

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4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the petitioner, who is running E-Seva Centre, had fabricated the Birth Certificate and thus committed the aforesaid offence and that the petitioner has no bad antecedents.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration, the fact that the petitioner has no bad antecedents, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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 **Judicial Magistrate – 1, Erode**, and on further conditions that:



CrI.O.P.No.8313 of 2025

WEB COPY

[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 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.

20.03.2025

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CrI.O.P.No.8313 of 2025

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Copy to:

- 1.The Inspector of Police,
North Police Station,
Erode District.
- 2.The Judicial Magistrate – 1, Erode.
- 3.District Jail, Gopichettipalayam.
- 4.The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.8313 of 2025

SUNDER MOHAN, J.

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CrI.O.P.No.8313 of 2025

20.03.2025