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CRL OP No. 9262 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9262 of 2025

1. Nirmal Ravendish

S/o.Nadarajan, Residing at 3/294,
Elangavan Vilai Veedu, Nalloor,
Vilavancode, Marthandam,
Vilavancode, Kanniyakumari, Tamil
Nadu - 629 165.

Petitioner(s)

Vs

1. The State Rep. by, The Station House
Officer,
Lawspet Police Station, Puducherry.
(Crime No. 194 of 2024)

Respondent(s)

PRAYER To enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 194 of 2024 on the file of the Lawspet Police Station, Puducherry, and pass such further or other orders as may be deemed fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioner(s): K Ganeshkumar

For Respondent(s): Mr.S.Balaji, Government
Advocate (Crl.side)



ORDER

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No. 194 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. (a) The case of the prosecution is that in order to secure medical seats through NRI Quota in Centralized Admission Committee (CENTAC), Puducherry, the petitioner along with other 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.

(b) The specific allegation against the petitioner herein is that he assisted one Roshini Priya in procuring an NRI Certificate.

3. (i) The learned counsel for the petitioner would submit that the



allegations are false and the petitioner is neither named in the FIR nor implicated in any specific manner in the original complaint and he has been unnecessarily dragged into the case. Despite the petitioner was not involved in the alleged forgery of the documents and there is nothing on record to show that the petitioner had gained monetarily in the alleged transaction and entire case is based on surmises.

(ii) The learned counsel further submitted that the main accused have been arrested; 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.

4.The learned Government Advocate (Crl.Side), on instructions fairly submitted that except for a few accused, the custodial interrogation of the other accused including the petitioner may not be required, though their appearance before the respondent police is necessary for investigation.

5.Heard the learned counsel for the petitioner and the learned

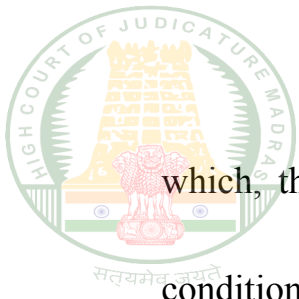


Government Advocate (Crl.Side) appearing for the respondent police and perused the materials available on record.

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6.It is for the prosecution to establish the allegations against the accused before the trial Court. Hence, considering the nature of allegations, the submissions on either side the fact that the similarly placed co-accused has been granted anticipatory bail by a co-ordinate Bench of 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 the petitioner with certain conditions.

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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.1, Puducherry**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:

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[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 5.30 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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

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17-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN J.

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To

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