



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.12452 of 2025

K.Shubham

...Petitioner/Accused 6

Vs.

State rep by
The Inspector of Police,
C3 Sai Baba Colony Police Station,
Coimbatore.

(Crime No.115 of 2025)

... Respondent

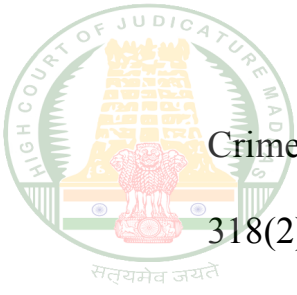
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.115 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Saikrishnan

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 10.03.2025, seeking bail in



Crime No.115 of 2025 registered for the offence under Sections 61(2)(a), 318(2), 319(2) and 336(3) of BNS, 2023.

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2.It is the case of the prosecution that the defacto complainant is a Doctor in the Institute of Forest Genetics and Tree Breeding; that the said institute conducted an examination for recruiting candidates to the post of MTS and Technical Assistant on 08.02.2025 and 09.02.2025 respectively; that the answer sheets were evaluated and the candidates were shortlisted based on merit; that during verification process by the officials, it came to light that the petitioner and other accused had committed the offence of cheating by impersonation during the written examination. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; and that in any case, the petitioner is in custody from 10.03.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the accused had paid huge amount to obtain the said post in the Institute and committed the offence of cheating by impersonation.



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

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6.Considering the nature of allegations, the period incarceration and since further custody of the petitioner is not required for the purpose of investigation, 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 (one surety must be a blood relative of the petitioner and another surety must be a local surety)**, each for a like sum to the satisfaction of the **Judicial Magistrate No.VII, Coimbatore**, 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 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.

24.04.2025

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Copy to:

1.The Inspector of Police,
C3 Sai Baba Colony Police Station,



Coimbatore.

2.The Judicial Magistrate No.VII, Coimbatore.

3.The Superintendent of Prison,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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