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CRL OP No. 12887 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12887 of 2025

1. Amal Mohamed Elias

D/o.Mohamed Elias

2. Mohamed Elias

S/o. Abdul Aziz, Both Residing at 104,
BOS AL Khan Building, AL Khan, AL
Khan District, Sharjah, United Arab
Emirates Both Permanent address at
86D, Bharathi Nagar, Northwest Street,
Mettupalayam, Sirumugai, Coimbatore,
Tamil Nadu- 641302.

Petitioner(s)

Vs

1. The State by, The Inspector of Police,
Beta IX, Forgery Investigation Wing,
Central Crime Branch, Chennai (Cr.
No. 233/2024).

Respondent(s)

PRAYER To enlarge the Petitioners on bail, in the event of their arrest in Crime



No. 233 of 2024 on the file of the Inspector of Police, Beta IX, Forgery Investigation Wing, Central Crime Branch, Chennai and thus render justice.

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For Petitioner(s): Nanda Kumar G

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

ORDER

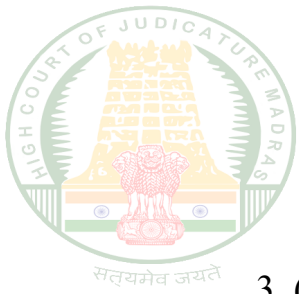
The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 336(2), 335(3), 337, 340(2), 318(4), 62 of BNS (Equivalent Section 465, 464(3), 466, 471, 420 r/w 511 IPC), in Crime No.233 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that in order to secure medical seats through NRI Quota in Centralized Admission Committee (CENTAC), Puducherry, the co-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 and the petitioners herein was implicated based on the confession of the co-accused.



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3. (i) The learned counsel for the petitioners submitted that the allegations are false; that the petitioners have nothing to do with the alleged forging of certificates and uploading the same in the website of CENTAC; that they were running browsing centre for uploading documents given by the students; and that there is nothing on record to show that he had gained monetarily in the alleged transaction.

(ii) The learned counsel further submitted that the main accused have been arrested; and that in any case, the case is borne out by records and custodial interrogation of the petitioners, are not required for the purpose of investigation and sought for anticipatory bail.

4. The learned Government Advocate (Crl.side) appearing for the respondent, on instructions, fairly submitted that the custodial interrogation of the petitioners may not be required, though their appearance before the respondent police is necessary for investigation.



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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the submissions on either side, that the petitioners are sought to be implicated based on the confession of the co-accused; 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 are not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Magistrate for Exclusive Trial of CCB & CBCID Metro Cases, Egmore, Chennai, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for a like sum to the



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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 dismissed and on further condition 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 petitioners shall report before the respondent police as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as

if the conditions have been imposed and the petitioners

released on bail by the learned Magistrate/Trial Court



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himself as laid down by the Hon'ble Supreme Court in

P.K.Shaji vs. State of Kerala reported in [(2005)AIR

SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of B.N.S.

gbi

25-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State by, The Inspector of Police,
Beta IX, Forgery Investigation Wing,
Central Crime Branch, Chennai (Cr.
No. 233/2024).
2. The Magistrate for Exclusive Trial of
CCB & CBCID Metro Cases, Egmore,
Chennai.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN J.

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