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CRL OP No. 13449 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13449 of 2025

1. K.Kumaresan
S/o.Kuppah, No.89 3rd Street Yamuna
Nagar Nasarathpettaim Chennai 600
123.

Petitioner(s)

Vs

1. The State Rep. by
The Inspector of Police, CCB-Central
Crime Branch -II, EDF-III, Vepery,
Chennai. Crime No.234 of 2024

Respondent(s)

PRAYER To enlarge the Petitioner on bail in the event of his arrest in Crime No.234 of 2024 on the file of CCB-Central Crime Branch -II, EDF-III, Vepery, Chennai .

For Petitioner(s): Mr.Richardson Wilson

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



ORDER

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The petitioner, who apprehends arrest at the hand of the respondent police for the offence punishable under Sections 336(2), 336(3), 337, 340(2), 318(4) read with Section 62 of BNS, 2023 in Crime No.234 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that in order to secure medical seats through NRI Quota in MBBS and BDS course, the accused had forged the NRI documents and thus committed the aforesaid offences.

3. i) The learned counsel for the petitioner submitted that the allegations are false; that the petitioner had nothing to do with the alleged forging of certificates and 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 is borne out by records and custodial interrogation of the petitioner, is not required for the purpose of investigation and sought for



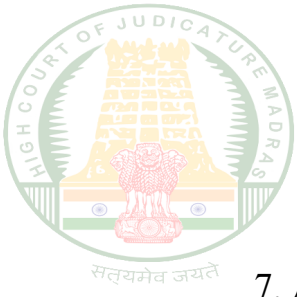
anticipatory bail.

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4. The learned Government Advocate(Crl. Side) appearing for the respondent, on instructions, fairly submitted that the custodial interrogation of the petitioner may not be required, though his 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.

6. 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.



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7. According, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the CCB Magistrate Court, Egmore 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 the anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 05.30 p.m., until further order;

[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;

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[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 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.

29-04-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State Rep. by
The Inspector of Police, CCB-Central
Crime Branch -II, EDF-III, Vepery,
Chennai. Crime No.234 of 2024.

2. The CCB Magistrate Court,
Egmore.
3. The Public Prosecutor, Madras
High Court, Chennai.



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SUNDER MOHAN J.

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