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Crl.O.P.No.19966 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19966 of 2025

Durgesh Kumar

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
B11 Saibaba Colony Police Station,
Coimbatore City.
(Crime No.324 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.324 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.06.2025, for the offence punishable under Sections 61(2), 318(2), 318(4), 319(2) and 336(3) of BNS, 2023 in connection with Crime No.324 of



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2025, registered on the file of the respondent, seeks bail.

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2.The case of the prosecution is that the ICFRE-Institute of Forest Genetics and Tree Breeding, Forest Campus, Coimbatore conducted an examination for recruiting candidates to the posts of Multi-Tasking Staff. The short-listed candidates were called for document verification. After completion of verification, the selected candidates were intimated to join the Institute. At the time of joining duty, it was revealed that the petitioner had cheated by impersonating another person to write examination on his behalf. Hence, the case.

3.The learned counsel for petitioner submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that in this case most of the investigation has been completed. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed for granting bail to the petitioner submitting that the petitioner hails from the State of Uttarpradesh. The de-facto complainant is the Director of ICFRE-Institute of Forest Genetics



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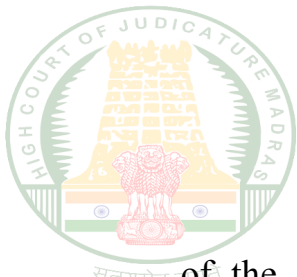
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and Tree Breeding, Forest Campus, Coimbatore. The ICFRE conducted an examination for recruiting candidates to the posts of Multi-Tasking Staff. The petitioner impersonated another person to write examination on his behalf. The petitioner name was found to be short-listed on merit. Thereafter, when the petitioner appeared for physical verification of certificates, it was found that the photographs and details of the petitioner are not tallied. Hence, he was arrested on 13.06.2025.

5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side, it is seen that the documents are already with the respondent police. Further, considering the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties, of whom, one surety should be a blood surety and another surety can be a local surety**, each for a like sum to the satisfaction



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of the learned **Judicial Magistrate No.VII, Coimbatore** and on further
conditions that:

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[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs 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 directly or indirectly cause any threat to the de-facto complainant and witnesses;

[d] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by



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the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.VII,
Coimbatore.

2.The Inspector of Police,
B11 Saibaba Colony Police Station,
Coimbatore City.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

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