



WEB COPY



Crl.O.P.No.32605 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32605 of 2024

Subbaro Matte

... Petitioner

Vs.

The State represented by,
The Station House Officer,
Lawspet Police Station.

(Crime No.194 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.194 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)

ORDER

Petition seeking bail in respect of Crime No.194 of 2024 registered for the offences punishable under Sections 336(3), 340(2) r/w 3(5) of BNS, is on board for consideration.



Crl.O.P.No.32605 of 2024

WEB COPY

2. The incarceration of the petitioner being from 24.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner, who was working in a coaching centre, other than filling forms for the students, he has not committed any offence as alleged by the prosecution and he has not benefited from the same. He also submits that even as per the prosecution, it was only an attempt and the petitioner was arrested only based on the confession statement recorded from the other accused. He further submits that the entire case is borne out by documents and the petitioner, aged about 58 years, is in custody for more than a month and he is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Public Prosecutor (Puducherry) appearing for the respondent police, vehemently opposing for grant of bail, is that the accused had fabricated the NRI certificates and attempted to get admission in medical colleges for the non-eligible students in NRI quota. He further submits that the petitioner/A70 is one of the main accused, who has submitted those alleged applications. He also submits that the investigation is still pending.



Crl.O.P.No.32605 of 2024

4. Having heard the learned counsel for the petitioner, the learned Public Prosecutor (Puducherry) for the respondent Police and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Puducherry**, 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 10.30a.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

A.D.JAGADISH CHANDIRA.,J.



WEB COPY



Crl.O.P.No.32605 of 2024

ham

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 of B.N.S.

09.01.2025

ham

To

1. The Judicial Magistrate No.I,
Puducherry.
2. The Station House Officer,
Lawspet Police Station.
3. The Superintendent,
Central Prison, Puducherry.
4. The Public Prosecutor (Puducherry)
High Court of Madras.

Crl.O.P.No.32605 of 2024