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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30810 of 2026

CNR:{HCMA012564322026}

Joshua

..Petitioner

Vs

The State rep by
The Inspector of Police
District Crime Branch,
Vellore District.
Tamil Nadu.
Crime No.14 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.14 of 2026 on the file of the Respondent Police namely the Inspector of Police, District Crime Branch,Vellore District.

For Petitioner: Mr.Prakash Adiapadam

For Respondent: Ms.R.S.Indira
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.09.2026 for the alleged offence under Sections 318(4) and 61(2) Bharatiya

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Nyaya Sanhita (BNS), 2023 (Corresponding penal provision under erstwhile penal code is 420 and 120(B) IPC) . in Crime No.14 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 along with other accused person induced de facto complainant to secure a MD Pediatrics seat in CMC Medical College, Vellore and thereby, de facto complainant paid a sum of Rs.25,00,000/- in two instalments through Bank transfer. But, they neither secured any medical seat nor repaid the amount. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused has already been granted bail in Crl.OP.No.29999 of 2026 vide order dated 15.10.2026.He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Additional Public Prosecutor appearing for the Respondent Police reiterated the prosecution case and submitted that the specific allegation against this petitioner is that a sum of Rs.25,00,000/- has been transferred to the account of this petitioner towards assurance of MD seat

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in CMC, Vellore and that the petitioner has been incarcerated since 18.09.2026.

5. At this juncture, the learned counsel for the petitioner volunteered and undertaken to pay a sum of Rs.10,00,000/- so as to prove his bona fide in this matter.

6. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.

7. Considering the facts and circumstances of the case; taking note of the submission made by the learned Additional Public Prosecutor; though the nature of offence is cheating, considering the fact that a sum of Rs.25 lakhs has already been received in the account of the petitioner directly, and that the said amount has not been recovered so far. Considering the period of custody and that the voluntary undertaking of the petitioner to deposit a sum of Rs.10,00,000/-, this Court is inclined to grant bail to the petitioner subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned JM-IV, Vellore,** 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] t**he petitioner is ordered to be enlarged on bail on condition that the petitioner shall deposit a sum of Rs.10,00,000/- (Rupees Ten lakhs only) to the credit of Crime No.14 of 2026 on the file of the respondent police within a period of four weeks from the date of receipt of a copy of this order.**

[c] On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalised Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the trial.

[d] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[e] the petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[g] 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 the Hon'ble

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

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

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SHL

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.

To:

1. The Inspector of Police
District Crime Branch,
Vellore District.
Tamil Nadu

2. The JM-IV
Vellore

3. The Central Prison,
Vellore

4. The Public Prosecutor
High Court of Madras

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N.RAMESH J.

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