



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 9625/2024)

FR. ABRAHAM THAZHATHEDATHU

APPELLANT (S)

VERSUS

THE STATE OF MADHYA PRADESH

RESPONDENT (S)

WITH

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO.10114/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 10134/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 10058/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 10232/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO.10396/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 9841/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP (CRL.) NO. 9680/2024)

contd..

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP(CRL.) NO. 9930/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP(CRL.) NO. 10389/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP(CRL.) NO. 10560/2024)

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SLP(CRL.) NO.10645/2024)

O R D E R

SLP(CRL.) NOS. 9625/2024, 10114/2024, 10134/2024, 10058/2024, 10232/2024, 9841/2024, 9680/2024, 9930/2024, 10389/2024 and 10560/2024

Leave granted.

Having regard to common allegations of offences made against the appellants herein, these appeals have been clubbed together and are heard and disposed of by this common order.

We have heard learned senior counsel and learned counsel appearing for the appellants and learned A.S.G and learned counsel appearing for the respondent/State.

We have perused the material on record. For ease of reference, the details of the allegations as against the

contd..

appellants herein as well as the details of the arrest and impugned orders of the Trial Court and High Court are tabulated as under -

Item No.	Particulars	School & Designation of Petitioner	FIR No. & Police Station	Date of arrest	Trial Court	High Court
4.	SLP(CRL.) No. 9625/2024 Fr. Abraham Thazhathedathu Vs. State	St. Aloysius School, Rimjha & Vice Chairman of Jabalpur Diocesan Educational Society	429/2024 P. S. Madhotal, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1525/2024)	Bail rejected on 09.07.2024 (MCRC No. 24418/24)
4.1	SLP(CRL.) No. 10114/2024 Ajay Umesh Kumar James Vs. State	Christ Church School for Boys & Girls. Bishop of Diocesan of Jabalpur and as per laws, he is also the Chairman of Board of Education Church of North India, Jabalpur Diocese.	253/2024 P. S. Omti, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1485/2024)	Bail rejected on 09.07.2024 (MCRC No. 25554/24)
4.2	SLP(CRL.) No. 10134/2024 Ajay Umesh Kumar James Vs. State	Christ Church Boys Senior Secondary School & Ex-officio Chairman of the School.	254/2024 P. S. Omti, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1518/2024)	Bail rejected on 09.07.2024 (MCRC No. 25558/24)
4.3	SLP(CRL.) No. 10058/2024 Ajay Umesh Kumar James Vs. State	Christ Church Diocesan Secondary School, Jabalpur & Ex-officio Chairman of the School.	275/2024 P. S. Belbagh, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 20.06.2024 (B.A.No. 1171/2024)	Bail rejected on 09.07.2024 (MCRC No. 27770/24)
4.4	SLP(CRL.)	Christ Church	254/2024	27.05.2024	Bail rejected	Bail rejected on

	No. 10232/2024 Mrs. Ekta Peters Vs. State	Boys' Senior Secondary School, Jabalpur, member of Management Committee..	P. S. Omti, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.		on 01.06.2024 (B.A.No. 1487/2024)	09.07.2024 (MCRC No. 25808/24)
4.6	SLP(CRL.) No. 9841/2024 Mrs. L. M. Sathe Vs. State of M.P.	Christ Church School for Boys and Girls ISC, Manager.	253/2024 P. S. Omti, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1501/2024)	Bail rejected on 09.07.2024 (MCRC No. 26650/24)
4.7	SLP(CRL.) No. 9680/2024 Mrs. L. M. Sathe Vs. State of M.P.	Christ Church Jabalpur Diocesan School, ISC, Jabalpur, Member of Management Committee.	275/2024 P. S. Belbagh, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 20.06.2024 (B.A.No. 1775/2024)	Bail rejected on 09.07.2024 (MCRC No. 26639/24)
4.8	SLP(CRL.) No. 9930/2024 Shaji Thomas Vs. State of M.P.	Officiating Principal of Christ Church School for Boys & Girls, Jabalpur, Diocesan Educational Society	275/2024 P. S. Belbagh District, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	31.05.2024	Bail rejected on 20.06.2024	Bail rejected on 09.07.2024 (MCRC No. 28006/24)
4.9	SLP(CRL.) No. 10389/2024 Atul Anupam Abraham Vs. State of M.P.	Christ Church Boys' Senior Secondary School, Jabalpur, Member of Management Committee.	254/2024 P. S. Omti, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1517/2024)	Bail rejected on 09.07.2024 (MCRC No. 25557/24)
4.10	SLP(CRL.) No. 10560/2024 Bhartesh Bharil Vs. State of M.P.	Gyan Ganga Orchids International School, Jabalpur & Secretary of Shri Vardhaman Vidya Vihar Educational Academy.	FIR No.253/2024 at P. S. Bhedaghat	27.05.2024	Bail rejected on 01.06.2024 (B.A.No. 1468/2024)	Bail rejected on 09.07.2024 (MCRC No. 24332/24)

Learned senior counsel and learned counsel for the appellants submitted in unison that there is a discernible pattern in the allegations made against the appellants herein; that the appellants have been engaged in educational activities in the State of Madhya Pradesh and in that regard they are engaged in facilitating sale of text books for the benefit of students. The same cannot be an offence at all in law.

They further submitted that the management of educational institutions have a right to increase the fee in accordance with the prevalent Act and norms in the State. Accordingly, the fees of the students may have been raised. The same cannot be a subject matter of offences so as to invoke Sections 409, 420, 468, 471 read with Section 120-B of the Indian Penal Code, 1860 (IPC). It was submitted that the Trial Court as well as the High Court were not right in rejecting the bail applications filed by the appellants herein, who have been incarcerated since the end of May, 2024. In the circumstances, impugned orders may be set aside and relief may be granted to the appellants.

*Per contra*, learned A.S.G and learned counsel appearing for the respondent/State supported the impugned

contd..

orders and contended that, in fact, the activities of the appellants and their schools have caused grave prejudice to the students and parents and therefore, the police authorities were constrained to swing into action on the complaints made against them; that the High Court was justified in sustaining the orders passed by the Trial Court in rejecting the application(s) for bail; that having regard to complex facts, the investigation has not been completed and, therefore, at this stage, it is not just and proper to release the appellants on bail as there is a possibility of tampering of evidence and causing prejudice to the trial of the appellants for the offences under the respective provisions of the IPC. He therefore, submitted that there is no merit in these appeals and the same may be dismissed.

We have considered the arguments advanced at the Bar and perused the material on record. We note that the allegations made against the appellants herein are almost identical and bear a pattern. The allegations may emerge from the documents on record and which could be considered during the course of trial. At this stage, the investigation is also not completed. It is not known as to whether the respondent/State is serious in concluding the investigation. Be that as it may. We find that in the facts and

contd..

circumstances of these cases, the appellants are entitled to relief as they cannot be continued to be incarcerated on account of the investigation being inconclusive. Consequently, the appellants shall be released on bail subject to the following conditions:

"Let the appellants be produced before the concerned Trial Court forthwith, who shall release them on bail, subject to the appellants giving bail-bonds in the sum of Rs.25,000/- (Rupees twenty five thousand only) each with two like sureties. It shall be open to the concerned Trial Court to impose such other conditions as are deemed appropriate."

It is directed that the appellants shall extend complete cooperation in the investigation and shall present themselves before the concerned Police Station(s) as and when summoned.

The appellants shall not misuse their liberty in any manner.

Any infraction of the conditions shall entail cancellation of bail granted to the appellants.

With the aforesaid directions, the criminal appeals are allowed.

Contd..

SLP(CRL.) Nos.10396/2024 and 10645/2024

Leave granted.

We have heard learned counsel for the respective parties and perused the material on record.

For ease of reference, the details of the allegations as against the appellants herein as well as the details of the arrest and impugned orders of the Trial Court and High Court are tabulated as under -

Item No.	Particulars	School & Designation of Petitioner	FIR No. & Police Station	Date of arrest	Trial Court	High Court
4.5	SLP(CRL.) No. 10396/2024 Ajay Umesh Kumar James Vs. State (Anticipatory Bail)	Christ Church School, Saliwada, Jabalpur and Ex-officio Chairman of the School.	331/2024 P. S. Barela, Jabalpur u/s 409, 420, 468, 471 r/w 120-B of IPC.	Not arrested	Anticipatory Bail rejected on 26.06.2024 (B.A.No. 1849/2024)	Anticipatory Bail rejected on 09.07.2024 (MCRC No. 27998/24)
4.11	SLP(CRL.) No. 10645/2024 Viny Raj Modi Vs. State of M.P. (Anticipatory Bail)	Gyan Ganga Orchids International School, Jabalpur & Vice Chairman of Shri Vardhaman Vidya Vihar Educational Academy.	FIR No.253/2024 at P. S. Bhedaghat	Not arrested	Anticipatory Bail rejected on 12.06.2024 (B.A.No. 14751/2024)	Anticipatory Bail rejected on 09.07.2024 (MCRC No. 26019/24)

Having regard to the facts of these cases, interim protection already granted to the appellants is made absolute. The appellants shall be released on bail.

Contd..



It is directed that the appellants shall extend complete cooperation in the investigation and shall present themselves before the concerned Police Station(s) as and when summoned.

The appellants shall not misuse their liberty in any manner.

Any infraction of the conditions shall entail cancellation of anticipatory bail granted to the appellants.

With the aforesaid directions, the criminal appeals are allowed.

.....J.  
( B.V. NAGARATHNA )

.....J.  
( NONGMEIKAPAM KOTISWAR SINGH )

NEW DELHI;  
AUGUST 20, 2024

ITEM NO.4

COURT NO.11  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SECTION II-A

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 9625/2024

(Arising out of impugned final judgment and order dated 09-07-2024 in MCRC No. 24418/2024 passed by the High Court of M.P. Principal Seat At Jabalpur)

FR. ABRAHAM THAZHATHEDATHU

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No. 155585/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 155587/2024 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No. 10114/2024 (II-A)

(IA No. 164806/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 164808/2024 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 10134/2024 (II-A)

(IA No. 164938/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 164939/2024 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 10058/2024 (II-A)

(IA No. 163912/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 163916/2024 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 10232/2024 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 166971/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 166973/2024

IA No. 166971/2024 - EXEMPTION FROM FILING O.T.

IA No. 166973/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(Cr1) No. 10396/2024 (II-A)

(IA No. 169639/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 169640/2024 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 9841/2024 (II-A)

SLP(Cr1) No. 9680/2024 (II-A)

(IA No. 156619/2024 - EXEMPTION FROM FILING O.T.

IA No. 156618/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

contd..

SLP(Cr1) No. 9930/2024 (II-A)

SLP(Cr1) No. 10389/2024 (II-A)  
(IA No. 169536/2024 - EXEMPTION FROM FILING O.T.  
IA No. 169535/2024 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

SLP(Cr1) No. 10560/2024 (II-A)  
(IA No. 172169/2024 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 10645/2024 (II-A)  
(FOR ADMISSION and I.R. and IA No.173452/2024-EXEMPTION FROM FILING  
O.T. and IA No.173450/2024-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 20-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv  
Ms. Anu Shrivastava, AOR  
Mr. Neveille Mukherji, Adv.  
Mr. Asim Tirmizi, Adv.  
Ms. Akriti Priya, Adv.  
  
Mr. Manoj V.george, Adv.  
Ms. Shilpa Liza George, AOR  
Mr. Km Vignesh Ram, Adv.  
Mr. Nasib Masih, Adv.  
Ms. Chaahat Khanna, Adv.  
Ms. Bitty Sudheer, Adv.  
Ms. Akshita Agrawal, Adv.  
  
Mr. Sidharth Luthra, Sr. Adv.  
Mr. Suryanarayana Singh, Sr. Adv.  
Ms. Pragati Neekhra, AOR  
Mr. Aditya Bhanu Neelkhra, Adv.  
Mr. Atul Dong, Adv.  
Mr. Aniket Patel, Adv.  
  
Mr. Vivek K. Tankha, Sr. Adv.  
Mr. Sumeer Sodhi, AOR  
Mr. Varun Tankha, Adv.  
Mr. Harshit Bari, Adv.  
Mr. Inder Dev Singh, Adv.  
Mr. Vipul Tiwari, Adv.

For Respondent(s) Mr. K. M. Natraj, A.S.G.  
Mr. D. S. Parmar, A.A.G.  
Mr. Harmeet Singh Ruprah, D.A.G.  
Ms. Mrinal Gopal Elker, AOR  
Ms. Shruti Verma, Adv.

Ms. Chhavi Khandelwal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

SLP(CRL.) NOs. 9625/2024, 10114/2024, 10134/2024, 10058/2024,  
10232/2024, 9841/2024, 9680/2024, 9930/2024, 10389/2024 and  
10560/2024

Leave granted.

The appeals are allowed in terms of the signed  
orders.

The appellants be produced before the concerned  
Trial Court forthwith, who shall release them on bail,  
subject to the appellants giving bail-bonds in the sum  
of Rs.25,000/- (Rupees twenty five thousand only) each  
with two like sureties. It shall be open to the  
concerned Trial Court to impose such other conditions  
as are deemed appropriate.

Pending application(s) shall stand disposed of.

SLP(CRL.) Nos.10396/2024 and 10645/2024

Leave granted.

The appeals are allowed in terms of the signed  
orders.

The interim protection already granted to the  
appellants is made absolute. The appellants shall be  
released on bail.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS

(RAM SUBHAG SINGH)  
COURT MASTER (NSH)

(Signed order is placed on the file)

