



CRL OP(MD). No.13379 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13379 of 2023

Rajkaran @ Suman

... Petitioner/Sole Accused

Vs

The State, represented by
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
Crime No.177 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Ramasamy
Advocate.

For Respondent : B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.177 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 20.06.2023 for the alleged offence under Section 14(C) of Foreigners Act and Sections 3(2)(a), 6(a) of Illegal Entry to Indian Rule, 1946, in Crime No.177 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that originally the petitioner's parents are entered into India as refugee of Sri Lanka and the petitioner is born in refugees camp,



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Thoothukudi district. After that the petitioner went to Sri Lanka for job purpose through special Passport. But, without proper return documents, he entered into India illegally, on that ground, he was arrested and remanded to judicial custody on 20.06.2023.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person. Earlier the petitioner stayed in India at refugees camp at Thaapathi, Thoothukudi District since 1990. The Government of India issued Aadhar Card to the petitioner after due verification. Further, the petitioner was released on bail by the learned Judicial Magistrate Court, Kamuthi in respect of Crime No.175 of 2023.

4.The learned Additional Public Prosecutor submitted that the petitioner born in refugees camp, Thoothukudi District and he got permanent residence in India after marriage living at 65, Thapathi Mugam, Thappathi, Thoothukudi and now he is residing at Kottai Medu, Kamuthi, Ramanathapuram District.

5. Considering the fact that the petitioner is born in India and he got permanent residence in refugees camp, Thoothukudi District, this Court is inclined to grant bail to the petitioner with stringent conditions;

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction



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of the learned Judicial Magistrate, Kamuthi, and on further condition that the
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petitioner must stay at refugees camp, Thappathi, Thoothukudi District and shall
report before the learned Judicial Magistrate No.I, Thoothukudi daily at 10.30 a.m.
until further orders.

sd/-
21/07/2023

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21/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

4 THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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COPY TO:

1 THE JUDICIAL MAGISTRATE NO.I,THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
REFUGEES CAMP,
THAPPATHI, THOOTHUKUDI DISTRICT.

+1. CC to M/S RAMASAMY.S Advocate SR.No.11094

ORDER
IN
CRL OP(MD) No.13379 of 2023
Date :21/07/2023

SA/MMS/SAR. /21.07.2023/4P/10C
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