



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twentieth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.24510 of 2015

MUNIYASAMY

... PETITIONER/ACCUSED

Vs

STATE REPRESENTED BY
STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THIRUPPULANI POLICE STATION
RAMANATHAPURAM DISTRICT.
CRIME NO.222 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.SENTHIL KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 468, 471 of IPC r/w 12(1)(b) of Indian Passport Act, in Crime No.222 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner produced fake Transfer Certificate, Birth Certificate and obtained a Passport No.E7373011 valid from 10.12.2003 to 09.12.2013 and the application for renewal was submitted on 22.10.2013 and the same was sent to the Superintendent of Police, Ramanathapuram C.No.146/DPO/SDO-19114/2015 for verification. Based on the report from the Superintendent of Police, the defacto complainant has given a complaint against the petitioner.

3.The case of the petitioner is that the petitioner originally applied for Passport through Travel Agent and the said application was rejected by the Passport Authority. Subsequently, the petitioner himself applied for renewal on 22.10.2013. The defacto complainant sought opinion from the Superintendent of Police, Ramanathapuram on 02.04.2014. The Superintendent of Police, Ramanathapuram forwarded the case of the petitioner for investigation to the Deputy Superintendent of Police, Keelakarai on 23.12.2014. After conducting detailed enquiry and on perusing the documents, the Deputy Superintendent of Police, Keelakarai sent a report that originally Travel Agency submitted the application of the petitioner with bogus certificate. The said application was rejected by the Passport Authorities. Subsequently, petitioner applied with genuine certificates and got passport. The Agent, who submitted the application on his behalf, had closed, his centre.

4.The learned counsel for the petitioner submitted that the



petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has not submitted any false certificate.

5.The learned Government Advocate (Crl.side) submitted that the petitioner on submitting bogus certificate, he obtained a passport and considering the report of the Superintendent of Police, the application submitted by the Agent was rejected.

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6.Considering the facts and circumstances of the case custodial interrogation of the petitioner is not necessary. This Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Ramanathapuram and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
20/01/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, THIRUPPULANI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.SENTHIL KUMAR Advocate SR.No.3238

AM

CSL/JGB-DP/SAR-II/25.01.2016/2P/6C

ORDER
IN
CRL OP(MD) No.24510 of 2015
Date :20/01/2016