



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

Wednesday, the Nineteenth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8239 of 2019

SEENIVASAGAM @ SEENI

... PETITIONER /5th ACCUSED

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
Q BRANCH CID.,  
RAMANATHAPURAM DISTRICT.  
CRIME NO.1 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.PAKALAVAN Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

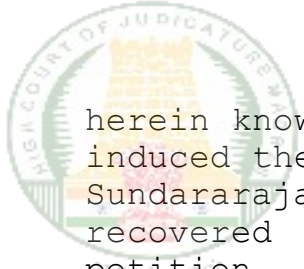
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused No.5 seeking bail for the alleged offence punishable under Sections 120 (B), 420, 465, 468, 471 I.P.C and Section 3, 12(1A), (a), 12(2) of Passports Act, 1967.

2.Heard both sides.

3.The learned counsel for the petitioner has submitted that the petitioner is an innocent person and he has been falsely implicated in the above case based on the confession given by the accused No.1. He further submitted that the petitioner was arrested by the respondent police on 15.05.2019 and from that day onwards, he is in custody and hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police has submitted that the first accused, namely, Niruban @ Lanchan of Srilanka citizen took asylum in the Mandapam Refugees Camp, Ramanathapuram District. A1 along with other accused Nos.2 to 4 fabricated the passport as if he is Sundararajan S/o.Rajendran. They were created fake passport, Aadhar Card and also other related documents. Further, A1 with his fake passport approached the petitioner herein to obtain VISA. The petitioner



herein knowing very well about the fake passport and the Aadhar Card induced the A1 to sign in the forms relating to the VISA as if he is Sundararajan S/o.Rajendran. At the time of arrest 117 passports were recovered from the petitioner. Hence, he strongly opposed this petition.

5.Taking into consideration of the fact that the petitioner herein has been implicated in the above case only based on the confession given by the accused No.1 and that the petitioner is in custody from 15.05.2019 and no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a]the petitioner is ordered to be released on bail on his 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 Judicial Magistrate, Rameshwaram;

[b]the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.1 of 2019 before the learned Judicial Magistrate, Rameshwaram, without prejudice his defence before the trial Court;

[c] the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of one week and thereafter as and when required for the interrogation;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,  
RAMESHWARAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.courts.gov.in/hcservices/>  
RAMANATHAPURAM.



3 THE INSPECTOR OF POLICE,  
Q BRANCH CID.,  
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE,  
DISTRICT PRISON, RAMANATHAPURAM.

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

+1. CC to M/S.S.PAKALAVAN Advocate SR.No. 9984

ORDER

IN

CRL OP (MD) No.8239 of 2019

Date :19/06/2019

JM/VR/SAR 3/19.06.2019/3P/7C