



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15894 of 2021

Syed Hakkim,

... Petitioner/Sole Accused

Vs

State Rep by,
The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Cr.No. 267 of 2021).

... Respondent/Complainant

For Petitioner : MR.M.S.Jeyakarthik, Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 267 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 465, 240 IPC and Section 12(1)(b) of Passport Act, 1967 in Crime No.267 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner obtained passport in the year 1994. Thereafter, in the year 2002, he obtained another passport and by using the second passport, he went to Malasiya and worked there. Thereafter, he applied for renewal of his second passport, at that time, it came to know that the accused has two passports and the second passport was obtained by stating that his father's name is Mohammed Ibrahim. But, the petitioner's father's name is Syed Ibrahim. Hence, the complaint.



3. The learned counsel for the petitioner submits that originally, the petitioner gave his records to the Agent for getting Visa and passport for renewal. The petitioner is an illiterate and he did not aware about the change of his father's name in the passport. When he went to the passport office for renewal of his passport, at that time, he knew about the said mistake. Immediately, he surrendered his passport to the passport authorities.

4. The learned Additional Public Prosecutor opposed for grant of bail and submits that the petitioner obtained the second passport, without disclosing about the first passport obtained in the year 1994. Hence, he prayed for dismissal of this petition.

5. Considering the nature of offence and also considering the fact that knowingly, the petitioner obtained the second passport stating that his father's name is Mohammed Ibrahim and by using the second passport, he went to Malasiya and worked there for some time and also considering the ill-intention of the petitioner in obtaining the second passport, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the Criminal Original Petition is dismissed.
sd/-

12/10/2021

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/ /2021

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

TO

- 1 THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to MR.M.S.JEYAKARTHIK, Advocate (SR-7220[I] dated 13/10/2021)

ORDER

IN

CRL OP(MD) No.15894 of 2021

Date :12/10/2021

PKP/PN/SAR-2/20.10.2021/2P/4C