



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

Tuesday, the Fourteenth day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.19494 of 2021

MURUGAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM.
(CRIME NO.488/2021)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.D.VENKATESH, Advocate
For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER:- FOR BAIL IN CRIME NO.488 OF 2021 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

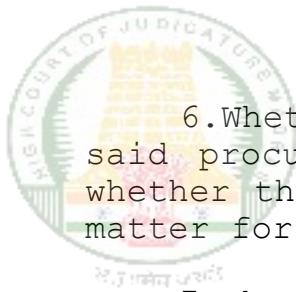
The petitioner, who is sole accused, was arrested and remanded to judicial custody on 21/11/2021 for the alleged offences punishable under Sections 12(1)(b) & 10 of Passport Act, 1967 altered to Section 12(1)(b) and 10(3)(b) of Passport Act, 1967 r/w 420, 467, 471 IPC in Crime No.488 of 2021 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that this petitioner got a passport through fabricated document, on 02.09.2021.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

4.Even though the learned counsel appearing for the petitioner would submit that without his knowledge, the Agent, who made arrangement for the purpose of getting passport issued during the relevant point of time, has given a wrong information with regard to the father of this petitioner. But this contention appears to be not true.

5.But perusal of the CD file shows that Aadhar Card and other information with regard to the de-facto complainant's documents were procured by giving misrepresentation to the mother of the de-facto complainant and thereafter only, all the processes have been undertaken.



6. Whether this petitioner is actually involved in the above said procurement of the documents of the de-facto complainant or whether the Agent was involved in the above said issue or not, is a matter for investigation.

7. The contention on the part of the prosecution is that on coming to know that wrong information has been given and the passport to the petitioner is going to be issued, he was called for enquiry by the officials of the Passport authorities. On noting the mistakes, this petitioner's passport has been impounded by the officials. So the passport was not issued to him and he did not utilise the same. All these things can only be considered during the course of trial.

8. Considering the fact that no damage has been done to the de-facto complainant's passport because of the misdeed and also considering the fact that the investigation is almost over and it is also on the basis of the documentary evidence and no tempering of evidence is possible in this case, this court is inclined to **grant bail** to the petitioner with certain conditions.

9. Accordingly, 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 No.1, Ramanathapuram and on further condition that the petitioner shall report before the respondent police daily at 10.00 am until further orders.

sd/-

14/12/2021

/ TRUE COPY /

/ /2021

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
BAZAAR POLICE STATION, RAMANATHAPURAM.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.19494 of 2021
Date :14/12/2021

SA/PN/SAR.2/15.12.2021/2P/6C

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