



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14019 of 2022

SOUNDRAPANDIAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH II,
EGMORE, CHENNAI.
(CR.NO. 158 OF 2016)

For Petitioner : M/S.K.JAYAKANNAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 12(1)(b) of Passport Act, 1967, and Section 420, 468 and 471 of IPC in Crime No.158 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint against the accused one Krishnan Nambirajan who was holding passport No.P1304853 issued by the Madurai valid from 28.06.2016 to 27.06.2026 and the said passport is verified by International Airport, Chennai. The said passport is fake therefore the respondent police registered FIR as against the said Krishnan Nambirajan and arrested the accused and remanded to the judicial custody. The confession statement of the accused stated that the petitioner's name was also implicated but his name was not mentioned in FIR.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the said offence. The original accused one Krishnan Nambirajan has already released on bail. Therefore, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner arrayed as A2 who was holding Indian passport No.P1304853 issued at Madurai valid from 28.06.2016 to 27.06.2026 sought departure. On the verification of the immigration, one fake Malaysian Visa was found to be pasted on the original arrival stamp. On further investigation, it was revealed that an agent one Soundara Pandiyan who helped the pax in getting forged Indian Immigration seals in the old Indian passport. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also taking note of the fact that the custodial interrogation of the petitioner is not required. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Alandur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily Morning at 10.30 a.m. and Evening at 5.30 p.m for a period of three weeks and thereafter as and when required for interrogation.

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

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



[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

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

-sd/-

17/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH II,
EGMORE, CHENNAI-600 008.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.K.JAYAKANNAN Advocate on payment of necessary
charges SR.No.9810

CRL OP.14019/2022

Date :17/06/2022

CSK 23/06/2022