



Crl.O.P.No.22598 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.22598 of 2022

Selvarani

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police
Fake Passport Wing, Team - VII,
Central Crime Branch,
Chennai,
(Crime No.158/2022)

... Respondent/Complainant

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in connection
with the Crime No.158 of 2022 on the file of the respondent.

For Petitioner : Mr.P.Shivaraj Mohan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.08.2022 for the offence punishable under Sections 12(1) (b) of Pass Port Act, 1967 and 420, 468 and 471 of IPC in Crime No.158 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de facto complainant/Immigration Officer, FRRO, Bureau of Immigration, (MHA) Government of India is that the petitioner, who is an Indian citizen by origin has travelled to Srilanka and in Srilanka, had obtained a Srilankan passport by suppression and travelled to India through a tourist visa and during enquiry, it came to light that the petitioner has already obtained an Indian Passport bearing No.M072884 and she had applied for its renewal, which is still under process. Hence the case.

3. Learned Counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the petitioner is an Indian National and she has gone to Srilanka, where she was misguided by the travel agent and



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obtained Srilankan passport and by using the same, returned to India. He would also submit that the petitioner is ready to furnish legal sureties and ready to comply with the stringent conditions imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent would submit that the petitioner who is an Indian by origin, suppressing the facts had obtained the Srilankan Passport and traveled to India through tourist visa and she was arrested, while she attempted to renew her Indian passport. He would also submit that passport of the petitioner is now in the custody of the respondent. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the passport of the petitioner is now in the custody of the respondent and it is



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yet to be renewed, 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 her executing a bond each for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties** (out of which, one surety should be blood related surety and should produce document to show his/her means), each for a like sum to the satisfaction of the **learned Central Crime Branch Judge at Egmore** and on further conditions that:

[a] 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 everyday at 10.30 a.m., for a period of four weeks and thereafter, report before the Inspector of Police, Dindigul Town Police Station, every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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.

19.09.2022

nst/ham

To

1. The Central Crime Branch Judge, Egmore.
2. The Inspector of Police
Fake Passport Wing, Team - VII,
Central Crime Branch,
Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Dindigul Town Police Station,
Dindigul.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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