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Crl.O.P.No.24607 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

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

Crl.O.P.No.24607 of 2022

Regan Richard

... Petitioner

Vs.

State rep. by,
The Sub Inspector of Police,
Forged Investigation Wing,,
Team XXVII-A,CCB-I,
Chennai.

(Crime No.163/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in connection with the Crime No.163
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.J.Venkatesaperumal

For Respondent : Mr.C.E.Pratap,
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.08.2022 for the offences punishable under Sections 465, 468, 471, 420 r/w Section 511 of IPC, in Crime No.163 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner attempted to obtain U.S. Visa by submitting fraudulent visa application. During interview, it was found that the documents submitted by him were fabricated one. The petitioner along with the other accused have fabricated the documents. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and further submit that the petitioner has approached the co-accused, who are travel agents, for obtaining U.S. Visa. He would further submit that when the petitioner had appeared for interview, it was found that the documents were fabricated one and he would state that only the travel agents have fabricated the documents. He would also submit that the main



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accused in this case has been granted with bail by this Court in Crl.O.P.No.24142 of 2022 vide order dated 30.09.2022. Hence, he prays for grant of bail to the petitioner.

4. The Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has attempted to obtain U.S. Visa by submitting fraudulent visa application. During interview, it was found that the documents submitted by him were fabricated one. During the course of the investigation, it was found that the co-accused, who are running travel agency, have created forged documents for the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also considering the fact that the co-accused in this case have been granted with bail by this



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Court, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned CCB Special Court, Egmore, Chennai** 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 daily 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;

[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



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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.

12.10.2022

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To

1. The CCB Special Court, Egmore, Chennai.
2. The Sub-Inspector of Police,
Forged Investigation Wing,
Team XXVII-A,CCB-I,
Chennai.
3. The Central Prison,
Puzhal,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.,

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