



Crl.O.P.Nos.13342 and 13347 of 2023

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A.D.JAGADISH CHANDIRA,J.,

The petitioners, who were arrested and remanded to judicial custody on 14.03.2023 for the offence punishable under **Section 14 Foreigners Act, 1946, in Crime No.383 of 2023** on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners who are Nigerian Nationals, have over stayed in India without valid permit. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons. At the time of arriving to India, they had valid Stay Visa and thereafter, due to Covid-19, they could not renew their Stay Visa and without knowledge of the local laws, they overstayed in India. He further submitted that the petitioners have been languishing in jail from 14.03.2023. Hence, he prayed for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) would vehemently oppose for grant for bail to the petitioners stating that the petitioners are Nigerian nationals. In the year 2018, they had came to India with valid passport. However, they overstayed in India in violation of passport rules and if bail is granted to the petitioners, there is every possibility of the petitioners getting abscond. He would further submit that the investigation has been completed and the final report has also been filed before the learned Judicial Magistrate No.1, Tiruppur, in S.R.No.7724 of 2023 dated 22.05.2023 and once the charge sheet is numbered and taken on file, the respondent would be able to complete the trial within a specified period.

5. Heard both sides and perused the materials available on record including the F.I.R.

6. It is seen that the petitioners are foreign nationals and they have overstayed in India without proper Stay Visa. Further, the investigation has been completed and the final report has also been filed. Therefore, this Court is not inclined to grant bail to the petitioners.



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7. However, a direction is issued to the learned Judicial Magistrate

No.1, Tiruppur, to number the final report and take the case on file and complete the trial within a period of three months from the date of receipt of a copy of this order.

8. With the above directions, the Criminal Original Petitions stand dismissed.

20.06.2023

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Copy to:

The Judicial Magistrate No.I,
Tiruppur



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