



CrI.OP.No.14190 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.14190 of 2023

Ahmed Ali Khan

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.
Crime No.118 of 2023

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.118 of 2023 on the
file of the respondent police.

For Petitioner : Mr.M.Hussaini Basha

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.06.2023 for the offences punishable under Sections 420, 467, 468, 471 and 511 of IPC read with Section 12(1)(b), 12(2), 12(3) of Passport Act, 1967 in Crime No.118 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offence under Sections 420, 467, 468, 471 and 511 of IPC read with Section 12(1)(b), 12(2), 12(3) of Passport Act, 1967. He further submitted that, petitioner and his wife were given notice under Section 41(A) of Cr.P.C., and when they came for enquiry, they were arrested. Petitioner is in Judicial Custody from 09.06.2023. Hence, he seeks bail to the petitioner.

3. In reply learned Government Advocate (Crl. Side) denied the claim of the learned counsel for the petitioner that petitioner and his wife were given notice under Section 41(A) of Cr.P.C., and when they



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came for enquiry, they were arrested. He further submitted that, petitioner's wife was issued notice under Section 41(A) of Cr.P.C.

Petitioner was arrested on 09.06.2023, when he came to visit the 1st accused in jail along with incriminating documents. The allegation is that the petitioner along with other accused formed a team and created forged and fake passports and VISAs. Except the 5th accused, others are in jail. Hence, he opposed for grant of bail to the petitioner.

4. Considering the nature, facts and circumstances of the case and the duration of the petitioner's incarceration ie., from 09.06.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. 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 **Additional CCB Special Metropolitan Magistrate, Egmore, Chennai-8** and on further conditions that :-

[a] the sureties shall affix their photographs and



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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To

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1. Additional CCB Special Metropolitan Magistrate,
Egmore, Chennai-8
2. The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.
3. Central Prison Puzhal,
Chennai.
4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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