



CrI.O.P.No.28226 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2024

CORAM

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

CrI.O.P.No.28226 of 2024

Altaf Ahamed
S/o.Chitradurga Khalandarsab

... Petitioner

Vs.

State represented by
The Inspector of Police,
Central Crime Branch II
Chennai
(Crime No.129 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS to
enlarge the petitioner on bail in connection with Crime No.129 of 2024 on the
file of the respondent Police.

For Petitioners : Mr.U.Ganesh Kumar

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.09.2024, seeking bail in Crime No.129 of 2024 registered under Sections 420, 468, 471 of IPC r/w. Sections 12(1)(b), 12(1A)(a), 12(2) of Passport Act, 1967.

2.The case of the prosecution is that the petitioner had obtained an Indian passport for his wife, who is a Pakistani national by furnishing false information. Hence the case.

3.Learned Counsel appearing for the petitioner submitted that the the petitioner is an innocent person. The learned counsel further submitted that the petitioner was introduced to his wife(A2) at a conference in Bangladesh, thereafter, they got married. The learned counsel further submitted that the petitioner and his wife migrated to India in 2021. The learned counsel further submitted that the petitioner is an Indian citizen and under the wrong advice that his wife is eligible for getting Indian Passport, the petitioner had applied for Indian Passport. The learned counsel further submitted that the petitioner is in custody from 28.09.2024 and major part



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of the investigation has been completed. Hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police while opposing for grant of bail to the petitioner submitted that the petitioner, who is an Indian national had obtained an Indian passport for his wife who is a Pakistani national by furnishing false information. The learned counsel further submitted that investigation is pending in this matter and the petitioner's wife/A2 has been arrested and is in custody.

5.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Alandur** 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., 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 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];***



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 B.N.S.

18.11.2024

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To

1.The Judicial Magistrate No.I,
Alandur

2.The Superintendent,
Central Prison, Puzhal,
Chennai.

3.The Inspector of Police,
Central Crime Branch II
Chennai

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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