



CRL OP(MD) No.2771 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Sixth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2771 of 2024

1 R.BEATRICE BRITA

2 MURUGAN @ SUDHAN

... PETITIONERS 1 & 2 / ACCUSED
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
Q BRANCH CID,
TIRUCHIRAPPALLI.
CR.NO.01/2023

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.ROMEO ROY ALFRED.I., Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:- FOR ANTICIPATORY BAIL IN CR.NO.01/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 467, 468, 471, 420 and



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120B of IPC, Section 12(1)(c) of Passport Act, 1967 and Section 14 of Foreigners Act, 1946, in Crime No.01 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the Sri Lankan Nationals and they obtained Indian Passports via., Nos.W9070071 and W9070072 in a fraudulent manner by suppressing their nationality and cheated the passport and Government officials. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are the husband and wife. The first petitioner's father is the Indian citizen and he moved to Sri Lanka and settled there and at that time, the first petitioner was born and she was also obtained a birth certificate there and thereafter, they moved to India as refugees and started residing at Gopalamuthram, Tirunelveli Refugee Camp. He would further submit that in terms of Section 4(1) of the Indian Citizenship Act, she is deemed to be an Indian Citizen since she was born for Indian citizen in Sri Lanka. However, the second petitioner is the husband of the first petitioner, who is an Indian citizen and was born in the year 1986 in India and a birth certificate was also issued by the competent authority. He would further submit that in terms of Section 3 of Indian Citizenship Act, he belonged to the Indian Citizen. However, they approached the travel agent to obtain passports and the travel agent prepared a bogus address



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proof and issued a certificate in their favour, for which, the petitioners are not responsible. Hence, he pray for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioners are Sri Lankan Citizens and they have stayed in a refugee camp in India and they illegally approached the travel agent and prepared a bogus address proof and obtained passports in their favour and the investigation is pending. Hence, he vehemently opposed to grant anticipatory bail.

5.Considering the fact that though the petitioners claimed to be Indian citizens, the address proof submitted by them does not belong to them, this Court is not inclined to issue anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/02/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE INSPECTOR OF POLICE
Q BRANCH CID,
TIRUCHIRAPPALLI.



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2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.I.ROMEO ROY ALFRED, Advocate (SR-2374[I] dated 26/02/2024)

ORDER
IN
CRL OP(MD) No.2771 of 2024
Date :26/02/2024

SA/GS/SAR. /04.03.2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.