



CRL OP(MD) No.3547 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Eighteenth day of March Two Thousand and Twenty Four
PRESENT
The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.3547 of 2024

1 VADIVEL

... Petitioner / Accused No.2

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
Q BRANCH CID,
THANJAVUR DISTRICT.
(CRIME NO. 1/2024)

... Respondent / Complainant

For Petitioner : M/s.K.Sundaralingam, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER : FOR BAIL IN CRIME NO. 1 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 14.12.2023 for the alleged offence under Sections 120(B), 420, 465, 467, 468 and 471, 109 and 170 IPC r/w. Section 12(1)(b), 12(1A)(a) and 12(2) of the Passport Act, 1967 and Section 14C of the Foreigners Act, 1946 in Crime No.1 of 2024, seeks bail.

2. The case of the prosecution is that on 12.12.2023, the accused persons



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including the petitioner conspired together and created fake ID proofs and fake School Certificate etc., and by using the same, the accused persons obtained 48 fake passports to Sri Lankan Nationals under asylum. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that in fact, the allegation levelled against the petitioner is that the petitioner engaged the accused No.1 for handing over the passport in the address provided by the accused No.7. Except this allegation, no allegation is made against the petitioner. He would further submit that the petitioner is in prison from 14.12.2023. Hence, he prays for bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent Police submits that there are 11 accused persons involved in this case. Admittedly, the accused No.6 was granted bail on the ground that he is operating the Computer Centre and the Computer Operators can be engaged by any of the person who have approached them and except this case, no other case is pending against him. However, the allegations levelled against the petitioner that the accused No.7 has prepared bogus address and handed over the same to the petitioner, who in turn, engaged the accused Nos.1 and 7 for handing over the passport in the bogus address prepared by the accused No.7, are serious in nature.



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He would further submit that some of the accused persons are yet to be arrested.

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Hence, he prays for dismissal of this petition.

5. There are eleven accused persons involved in this case. Though the petitioner claims that the co-accused person was granted bail, the allegation levelled against the petitioner that he has engaged the accused Nos.1 and 7 for handing over the passport in the bogus address prepared by the accused No.7 is serious in nature. Further, some of the accused persons are yet to be arrested. In such circumstances, if the petitioner is enlarged on bail, there is a chance of hiding the evidence and it would affect the completion of investigation. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to file a statutory bail before the trial Court, if the investigation is not completed by the respondent Police within a period of 90 days.

sd/-
18/03/2024

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/03/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

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1.The Deputy Superintendent of Police,
Q Branch CID,
Thanjavur District.

2.The Superintendent,
Central Prison,
Trichy.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Superintendent of Police,
Q Branch CID,
Thanjavur District.

ORDER

IN

CRL OP(MD) No.3547 of 2024

Date :18/03/2024

ED/ JGB /SAR- (28/03/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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