



CRL OP(MD)No.4787 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.4787 of 2024

B.Thilagamalar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Palakkarai Police Station,
Trichy City, Trichy District.
(Crime No.171 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.S.Durai Pandian, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.171 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



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for the alleged offence punishable under Sections 12(1A)(a) and 12(1)(b) of the
Passport Act, 1967 in Crime No.171 of 2024 on the file of the respondent police,
seeks anticipatory bail.

2.The case of the prosecution is that the on 04.04.2011, the petitioner has got an
Indian Passport by concealing her Srilankan nationality. She had obtained the
Indian Passport, after getting married with one Balakrishnan, who is an Indian.

3.The learned counsel appearing for the petitioner submits that the petitioner
has not indulged in such criminal activities. However, the respondent police has
falsely implicated the petitioner in this case.

4.The learned Additional Public Prosecutor for the respondent submits that
the petitioner, without disclosing her nationality, had obtained Indian Passport.
However, he fairly submits that the petitioner married a person from Tamil Nadu in
the year 1994.

5.Considering the nature of allegations levelled as against the petitioner and
considering the fact that the petitioner married a person from Tamilnadu in the year



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1994 and settled in India, this Court is inclined to grant anticipatory bail to the
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petitioner.

6. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.5, Trichy on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned learned Judicial Magistrate No.5, Trichy and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police as and when required;
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.



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iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
28/03/2024

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/04/2024

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

GNS

TO

- 1 THE JUDICIAL MAGISTRATE NO.5
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE
PALAKKARAI POLICE STATION TRICHY CITY,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.4787 of 2024
Date :04/04/2024

SS/JGB/SAR- /15/04/2024/5P/5C

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