



W.P(MD)No.12891 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12891 of 2024

and

W.M.P(MD)Nos.11469 & 11470 of 2024

Jyothi Tobi Jones

... Petitioner

Vs.

1.The Additional Secretary to the Government,
Public (Foreigners – I) Department,
St.George Fort,
Chennai.

2.The District Collector,
Trichy District,
Incharge of Trichy Special Camp,
Trichy.

3.The Commissioner of Police,
Trichy City, Trichy.

4.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire record pertinent to G.O.(1D).No.189, Public (Foreigners-1) Department, dated



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26.04.2024, issued under Section 3(2) (e) of Foreigners Act, 1946 by the first respondent and quash the same as illegal and consequently direct the second respondent to forthwith release petitioners husband viz., Aluko Oluwa Tobi Jones, Son of Aluko (aged 51) detained in Special Camp (Foreigners), Trichirappalli.

For Petitioner : Mr.P.M.Vishnu Varthanan

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader
for R.1 & R.2

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.3 & R.4

ORDER

Heard both sides.

2.The petitioner's husband is a Nigerian national. By the impugned Government Order, he has been confined to the special camp at Trichy. The petitioner challenges the same on the grounds set out in the affidavit filed in support of the writ petition.

3.The learned counsel appearing for the petitioner reiterated all of them and submitted that the petitioner's husband can be put on any



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stringent terms and conditions and that he need not be confined in the special camp.

4.The learned Government Advocate appearing for the Police submitted that investigation reveals that the petitioner's husband was in possession of as many as five passports. Obviously, only one of them can be genuine. The learned Government Advocate informs the Court that a false website was created and the petitioner's husband had cheated to a tune of Rs.40 Lakhs. Considering the over all facts and circumstances particularly the background of the petitioner's husband, I am of the view that interference with the impugned Government Order will not be in public interest.

5.The Inspector of Police, Cyber Crime Police Station, Tirunelveli District is directed to file final report in Crime No.27 of 2023 within a period of three months from the date of receipt of a copy of this order. The learned Judicial Magistrate No.1, Tirunelveli is directed to take cognizance of the same within a period of one week thereafter. The trial shall be concluded within a period of six months thereafter.



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6. With these directions, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

Note: Registry is directed to mark a copy of this order to the Inspector of Police, Cyber Crime Police Station, Tirunelveli District and the learned Judicial Magistrate No.1, Tirunelveli.

To

1. The Additional Secretary to the Government,
Public (Foreigners – I) Department,
St. George Fort,
Chennai.
2. The District Collector,
Trichy District,
Incharge of Trichy Special Camp,
Trichy.
3. The Commissioner of Police,
Trichy City,
Trichy.
4. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.



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G.R.SWAMINATHAN,J.

MGA

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