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Crl.O.P.No.655 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 655 of 2025

Syed Basheerudeen

Petitioner(s)

Vs

The State represented by its,
The Inspector of Police,
CCB-II, Chennai CCB Police Station,
Chennai District.
Crime No.172 of 2024

Respondent(s)

For Petitioner(s):

Mr.G.Anbu Selvan

For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.172 of 2024 registered for the offences punishable under Sections 12(1)(b), 12(2) of Passport Act, 1967 and Sections 420, 468 and 471 of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in



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the case, learned counsel for the petitioner seeks indulgence of this court. He

would submit that the other accused/A-1 has already obtained a passport and he has also returned to India, since he obtained a passport by fabrication of documents, and by suppressing the same, he approached the petitioner by furnishing false information for getting a passport, other than helping the first accused, he has not committed any offence. He would submit that the petitioner is not aware of the genuinity of the documents submitted by the first accused. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail is that, by furnishing false information, the co-accused had obtained a passport from the petitioner/A-2, who is running passport agency. He would submit that a notice under Section 35 of BNSS was issued to the petitioner. He would further submit that there is no previous case pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police, and perused the materials available on record, this court is inclined to grant anticipatory bail



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to the petitioner with certain conditions.

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5. Accordingly, 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 on which the order copy made ready, before the learned **Judicial Magistrate-I, Alandur Court, Chennai**, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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[d] the petitioner shall not abscond 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]**;

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

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