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Crl. O.P. No.10565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10565 of 2025

Thirumalai

... Petitioner/ Accused -3

Vs.

The State represented by-

The Inspector of Police,
Chit Kanduvatti & Fake Passport,
Investigation Wing, Alpha-4,
Central Crime Branch-I,
Chennai.

(Crime No.37 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.37 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Thinesh
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 06.03.2025 seeking bail in Crime No.37 of 2025 registered for the offence under Sections 12(1)(b), 12(1-A) (a), 12(2) of the Passports Act, 1967 and Sections 318(4), 336(3), 340(2) of BNS.

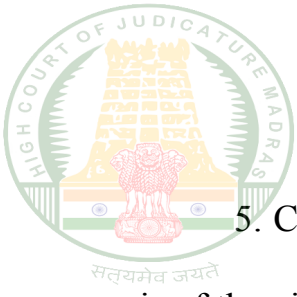


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2. The case of the prosecution is that A1 and A2 were initially arrested since they had made certain inconsistent statement before the Foreigners Regional Registration Office (FRRO), Chennai and they found in possession of certain fabricated documents, they were arrested; that on their confession, revealed that the petitioner had assisted in preparing fake IDs making it appear that they were Indian Citizens and thus, committed the aforesaid offence.

3. Learned counsel appearing for the petitioner would submit that the allegations are false; that in any case, considering the period of incarceration and the fact that all the documents have been seized from him; that the allegations are borne out by records; and that since further custody of the petitioner is not required sought for bail.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact the petitioner was arrested on 06.03.2025 and has not been taken police custody so far and the documents have been seized from the possession of the petitioner.



5. Considering the nature of allegations and the aforesaid facts, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Metropolitan Magistrate, Additional Court for CCB Cases, Egmore, Chennai.**

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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



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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 B.N.S.

08.04.2025

rkp

To

- 1.The Metropolitan Magistrate,
Additional Court for CCB Cases,
Egmore, Chennai.
- 2.The Inspector of Police,
Chit Kanduvatti & Fake Passport,
Investigation Wing, Alpha-4,
Central Crime Branch-I,
Chennai.
3. The Superintendent, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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