



W.P.Nos.14868 & 14871 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.14868 & 14871 of 2024
and W.M.P.Nos.16125 & 16128 of 2024

W.P.No.14868 of 2024:-

James Osebhoier Lawrence

... Petitioner

Vs.

1. The State Rep. by
The Additional Secretary to Government,
Public (Foreigners-I) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2. The District Collector,
Tiruppur District,
Tiruppur.

3. The Director General of Police,
Law & Order,
Tamil Nadu Police,
Mylapore,
Chennai – 600 004.

... Respondents

W.P.No.14871 of 2024 :-

Nashabasharom

... Petitioner

Vs.



W.P.Nos.14868 & 14871 of 2024

WEB COPY

1. The State Rep. by
The Additional Secretary to Government,
Public (Foreigners-I) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2. The District Collector,
Trichy District,
Trichy.

3. The Deputy Inspector General of Police,
Intelligence (Security) I/c,
DIG, Intelligence (International Security),
Chennai.

4. The Superintendent of Police,
Q-Brach CID,
Chennai.

... Respondents

Common Prayer: Writ petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records of the first respondent in Ref No.G.O.(1D)No.428 dated 20.12.2023 quash the same.

In W.P.No.14868 of 2024

For Petitioner : Mr.R.Saranya

For Respondents

For R1 & R2 : Mr.P.Balathandayutham
Special Government Pleader

For R3 : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)



WEB COPY



W.P.Nos.14868 & 14871 of 2024

In W.P.No.14871 of 2024

For Petitioner : Mr.R.Saranya
For Respondents
For R1 & R2 : Mr.P.Balathandayutham
Special Government Pleader
For R3 & R4 : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

COMMON ORDER

These Writ Petitions have been filed challenging order dated 20.12.2023, passed by the first respondent in Ref No.G.O.(1D)No.428, thereby directed the petitioners not to leave the boundaries of Special Camp at Tiruchirappalli.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The Inspector of Police, CCD-II Police Station, Tiruppur, registered the FIR in Crime No.7 of 2023 for the offences punishable under Sections 420, 468, 471 of IPC, Section 66D of Information Technology Act and Sections 14(a), 14(b) & 14(c) of the Foreigners Act, as against the petitioners. The petitioner in W.P.No.14868 of 2024 is arrayed as first accused and the petitioner in W.P.No.14871 of 2024 is arrayed as second accused. The allegations are that the petitioners and



W.P.Nos.14868 & 14871 of 2024

WEB COPY

other accused persons jointly cheated the defacto complainant through on line as if the second accused is a doctor in USA and the first accused is a financial director of one Indian company situated at Tripura and the second accused wants herbal medicine for cancer treatment from the first accused company and the second accused agreed to provide 60% of profit to the defacto complainant. Accordingly, the accused persons jointly induced the defacto complaint to pay a sum of Rs.57,40,820/- and cheated him. Both the petitioners also involved in another criminal case registered in Crime No.17 of 2022 for the offences punishable under Section 66D of the Information Technology Act and Section 420, 120B of IPC and Sections 14(a), 14(b), 14A(b) of Foreigners Act on the file of the very same Police, alleging that the second accused is a citizen of Uganda and he is stayed in India without valid Visa. Further another accused also involved in crime No.1 of 2023 for the offences punishable under Section 420 of IPC Section 66D of the Information Technology Act on the file of the Inspector of Police, Karur Cyber Crime Branch.

4. In pursuant to these cases, the first respondent passed order in G.O.(1D).No.428 dated 20.12.2023, thereby directed the petitioners shall not leave the boundaries of special camp at Trichy, in the event of



W.P.Nos.14868 & 14871 of 2024

their release from prison. Though the petitioners were granted bail, they could not able to comply the conditions as such they are not released and now they are confined at Central Prison, Puzhal.

5. The impugned order has been passed in accordance with the provisions under Section 3(2)(e) of the Foreigners Act, and as per the powers delegated to the State Government and as per the procedures laid down in the law. The first respondent is the competent authority to pass orders and accordingly he passed order by imposing restriction on the movement of the petitioner that too in the event of their release from the prison. This Court finds no infirmity or illegality in the order passed by the first respondent and the writ petitions are devoid of merits and liable to be dismissed.

6. Accordingly, both the Writ Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

28.02.2025
(¹/₂)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rts



W.P.Nos.14868 & 14871 of 2024

G.K.ILANTHIRAIYAN. J.

WEB COPY

rts

To

1. The Additional Secretary to Government,
Public (Foreigners-I) Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.

2. The District Collector,
Tiruppur District, Tiruppur.

3. The District Collector,
Trichy District, Trichy.

4. The Director General of Police,
Law & Order,
Tamil Nadu Police,
Mylapore, Chennai – 600 004.

5. The Deputy Inspector General of Police,
Intelligence (Security) I/c,
DIG, Intelligence (International Security),
Chennai.

6. The Superintendent of Police,
Q-Brach CID, Chennai.

7. The Public Prosecutor,
Madras High Court, Chennai.

W.P.Nos.14868 & 14871 of 2024
and W.M.P.Nos.16125 & 16128 of 2024

28.02.2025
(½)