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CRL OP No. 14457 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2025

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THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CRL OP No. 14457 of 2025

A.Sumathy Anbarasu

Petitioner(s)

Vs

The State Rep. by
The Sub-Inspector of Police,
City Crime Branch-I,
Commissioner of Police,
No 132, EVK Sampath Road,
Vepery, Periyamet,
Chennai- 600007.

PRAYER

To grant Anticipatory Bail under Crl.O.P.No.14457 of 2025 in Crime No. 78 of 2025 to the petitioner in the event of arrest or surrender, on the file of the Respondent police.

For Petitioner(s): M/s.R. Rajesh

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

**ORDER**

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 12(1)(b), 12(1A)(a) of Passport Act, 1967 and Section 420 of IPC, in Crime No. 78 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is an Australian national holding an expired Australian passport. It is alleged in the complaint that the petitioner has not followed the due process to obtain the Indian citizenship and that there are discrepancies in the date of birth as mentioned in her passports and Aadhaar card. It is further alleged that her children are also Australian nationals. The petitioner is stated to be in possession of Voter ID and Aadhaar card. A request has been made to cancel the Indian Voter ID held by the petitioner and her children, who are foreign nationals. It is alleged that the petitioner has fraudulently obtained Indian identity documents. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in the present case and also



submitted that the petitioner had not furnished any false information regarding her passport and citizenship. He further submitted that the petitioner is willing

to abide by any stringent conditions that may be imposed by this Court.

Therefore, she prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the aforesaid fact, nature of allegations and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Metropolitan**



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Magistrate, CCB Cases, Egmore, Chennai, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** **with two sureties** 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] 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., for a period of two weeks and thereafter, as and when required;**

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21-05-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Metropolitan Magistrate, CCB Cases, Egmore, Chennai
2. The Sub-Inspector of Police, City crime branch-I, Commissioner of Police, No 132, EVK Sampath Road, Vepery, Periyamet, Chennai- 600007.
3. The Public Prosecutor, High Court of Madras, Chennai.



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N.SENTHILKUMAR J.

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