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Crl.OP.No.25359 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25359 of 2025

Parista

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Fake Passport Investigation Wing Police Station,
Central Crime Branch, Vepery,
Chennai-600 007.
(Cr.No.151 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge on bail to the petitioner in
Cr.No.151 of 2025 pending on the file of the respondent.

For Petitioner : Mr.T.V.G.Kartheeban

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
21.08.2025 for the alleged offence under Sections 121(b), 12(1A)(a) of the



Passports Act and 318(4), 336(3), 340(2) of BNS Act, 2023 in Crime No.151 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 21.08.2025, when Tr.Chellamuthu, the Assistant Commissioner of Police was on duty, the defacto complainant Tmt.Jipsa, Immigration Officer, Office of FRRO, Bureau of immigration, Sasthri Bhavan, Nungambakkam, Chennai, reported the matter that one Srilankan National namely Parista Parthiban (Passport No.N10986281), had applied for a Exit Permit on 02.06.2025, after overstaying in India since 2012. She had originally arrived in India on 27.05.2012 on her Srilankan Passport No.2559409, on a tourist visa valid for three months. With the help of some unknown agents, she had obtained Indian Identity documents such as Voter ID, Driving License, Pan Card, Aadhaar Card. She also tried to obtain an Indian Passport on three occasions, but could not do the same due to lack of birth certificate. Later, these agents helped her to obtain a School Leaving Certificate from Dr.MGR Janaki Matriculation School, located at 103/A, Arcot Road, Saligramam, Chennai shows that she had completed the seventh standard on 20.04.2004 and it was mentioned that she is an Indian, Hindu Vannar. On



the strength of above fabricated documents, she obtained the Indian Passport X6160379 on 22.02.2023 valid till 21.03.2023 from the Regional Passport Office, Chennai by suppressing her Srilankan Nationality. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that it is true the the petitioner is hailing from Srilanka and she has settled for a in India for longer period. Thereafter, by suppressing her Srilankan Nationality, she had obtained Indian Passport X6160379 by using forged and fake documents. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that all the fabricated and fake documents were recovered from the petitioner. He further submitted that if the petitioner is released on bail, there is every possibility of tampering the witness and absconding. Hence, he opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the petitioner is being a lady, the period of incarceration and her antecedents this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Additional CCB Metropolitan Magistrate Court, Egmore** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30a.m., for a period of three weeks;**



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[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

16.09.2025

Vv

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.



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To
1. The Additional CCB Metropolitan Magistrate Court,
Egmore.

2. The Inspector of Police,
Fake Passport Investigation Wing Police Station,
Central Crime Branch, Vepery,
Chennai-600 007.

3. The Women Prison, Puzhal

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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