



Crl.O.P.(MD)No.8334 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.8334 of 2025 and
Crl.MP(MD) Nos.6405 & 6407 of 2025

Thirumurugan

... Petitioner

Vs

1.State of Tamil Nadu,
The Inspector of Police,
Airport Police Station,
Trichy,
Crime No.321 of 2015.

2.Umasankar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records connected to the proceedings in CC No.59 of 2016, on the file of the learned Judicial Magistrate No.VI, Trichirappalli and quash the same as illegal as against the petitioner.

For Petitioner
For R1

: Mr.R.Alagumani
: Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl side)



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ORDER

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The petitioner/ A2 in CC No.59 of 2016 has filed this Criminal Original Petition to quash the proceedings, which is pending as against him, in CC No.59 of 2016, before the Judicial Magistrate No.VI, Trichirappalli.

2.The case of the prosecution is that on 26.07.2015 at about 7.00 am, while the respondent police was on vehicle check up, they have found that this petitioner along with A1, who was carrying a forged passport, which was in the name of Arockiyadasan as Passport No.M.425786 along with Malaysia Visa. The overt act as against this petitioner is that this petitioner along with A3 helped A1 for preparation of a forged passport. The respondent police has conducted an investigation and found materials as against this petitioner and other accused and filed a final report for the offence under Sections 12(1) (a) of the Indian Passport Act, 12(1-A), 14 of Foreigners Act altered into Sections 12(1) (b), 12(1A) of the Indian Passport Act, 109 IPC and 14 of Foreigners Act and the same is pending before the Judicial Magistrate Court No.VI, Trichy, in CC No.59 of 2016.



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3.The learned counsel for the petitioner submits that the only offence made out as against this petitioner is the offence under Section 109 IPC. According to him, the petitioner is an innocent and he is a practising Advocate and also a Secretary of Thamilar Katchi, a political party and he has been unnecessarily added as an accused due to political vendetta. The learned counsel for the petitioner further submits that even according to A1, who was in possession of fake passport, he has obtained this fake passport only from A3. However, this petitioner is added as A2 as he has sponsored money for preparing the fake passport to A3. However, the respondent police has not collected any materials to substantiate this allegation. According to the learned counsel, based on the confession statement of A1, this petitioner has been added as an accused and apart from this confession statement, no other materials have been collected by the respondent police as against this petitioner.



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4.Mr.A.S.Abul Kalaam Azaad, learned Government

Advocate (Crl side), who takes notice for the first respondent submits that the petitioner/A2 has transferred money to A3, through his bank account, for arranging the fake passport. The learned Government Advocate has also relied on the statement of Revenue Inspector No.3, Mylapore to that effect. Therefore, according to the learned Government Advocate, there are enough materials to prove the overt act as against the petitioner that he has arranged money for preparing fake passport by A3. He further submits that the fake passport has been prepared in the name of one Arokiadoss and he was also examined by the investigating agency that he has handed over his original passport to this petitioner. Based on the original passport of the said Arokiadoss, the fake passport has been prepared for A1.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the first respondent.



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6. Though the petitioner has raised several grounds, this

Court is of the opinion that it can be appreciated only during the trial.

Therefore, this Court is not inclined to entertain this petition and

accordingly, this Criminal Original Petition is dismissed. However,

liberty is granted to the petitioner to raise all these grounds before the

trial Court, during trial. Consequently, connected miscellaneous

petitions are closed.

10.06.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

vrn

To

The Inspector of Police,
Airport Police Station,
Trichy.



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B.PUGALENDHI,J

vrn

Order made in
Crl.OP(MD)No.8334 of 2025 and
Crl.MP(MD) Nos.6405 & 6407 of 2025

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