



CRL OP(MD).No.9391 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9391 of 2025

Dhileepan,
S/o.Gulasingam.

... Petitioner/Petitioner

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Q-Branch CID,
Madurai City.
Crime No.1/2019.

... Respondent/Complainant

For Petitioner : Mr.T.Indrachithu
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR MODIFICATION Under Sec.528 of BNSS



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PRAYER :- To modify the condition No.(b) imposed in Crl.MP.No.1417 of 2025 dated 13.03.2025 on the file of the Judicial Magistrate No.4, Madurai.

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition No.(b) imposed in Crl.MP.No.1417 of 2025 dated 13.03.2025 on the file of the Judicial Magistrate No.4, Madurai.

2. The learned counsel for the petitioner would submit that the petitioner is a Srilankan refugee, the allegations against the petitioner is that this petitioner and others were fabricated the documents and fraudulently obtained Indian Passport for several Srilankan refugees, with the support of fabricated document. This petitioner was arrested on 10.02.2025. This petitioner has filed a bail application before the Judicial Magistrate No.4, Madurai and the Trial Court granted bail to the petitioner by an order dated 13.03.2025 with certain conditions. The said conditions are as follows :

"a) Petitioner shall executed a bond for a sum of Rs.15,000/- and produce two



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sureties, each like sum to the satisfaction of Court.

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b) petitioner shall be lodged at Special Camp, Trichy, till the disposal of the case."

3. He further submits that the petitioner has been suffering incarceration for a period of 80 days at Central Prison, Puzhal, Chennai. There is a persistent threat prevailing in the Special Camp, Trichy. This petitioner has no previous cases or previous antecedents. Hence, the petitioner seeks indulgence of this court by modifying the said condition imposed against him. Hence, he prays for modification of the said condition.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the accused Nos.1 to 4 conspired together in the matter of obtaining Indian passports to Srilankan Tamils by using the fabricated documents as genuine with dishonest and fraudulent intentions. Upon concluding the investigation, totally 40 persons including officials from passport office, Police Department and Postal Department were arrayed as accused. Based on the strength of evidence collected during the investigation, the sections of the case were altered. A charge sheet was filed before the learned trial Court against all the above accused in C.C.No.1503 of 2022. This petitioner is a Srilankan National. Hence, he must be



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lodged in a special camp until the disposal of the case. Furthermore, the Government of TamilNadu has also issued a order u/s.3(2)(e) of Foreigners Act in the G.O.(1D).No.131 dated 24.02.2025, mandating the petitioner herein to be lodged at special camp, Trichy. However, he has not raised any objection to transfer the petitioner to some other special camp.

5. Considering the submissions made by the learned Counsel for the Petitioner and being satisfied with the reasons stated in the accompanying affidavit, this Court is inclined to modify the Condition No.(b) in the order made in Crl.MP.No.1417 of 2025 dated 13.03.2025. Accordingly, Condition No.(b) is modified as "(b). The petitioner shall be lodged at Special Camp, Cheyyar until disposal of the case.". The other conditions shall remain unaltered.

6. With the above said modification, this Criminal Original Petition is allowed.

sd/-
20/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
To
1. The Judicial Magistrate No.4,
Madurai.



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2. Do Through The Chief Judicial Magistrate,
Madurai.

3. The Inspector of Police,
Q-Branch CID,
Madurai City.

4. The Officer In-charge,
Srilankan Refugee Special Camp,
Cheyyar.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.9391 of 2025
Date :20/06/2025

HPS/10.07.2025 /5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023