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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 730/2025 & CRL.M.(BAIL) 355/2025**
SYED THURAFUDDINPetitioner

Through: Mr. Sharique Hussain and Mr. Mrinal
Kumar Sharma, Advocates

versus

STATE NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
28.02.2025

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1. The present bail application has been filed under Section 482 read with 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter '*BNSS*') on behalf of the applicant seeking grant of anticipatory bail in case arising out of FIR No. 259/2024, registered at Police Station I.G.I Airport, Delhi for offences punishable under Section 419/420/468/471 of the Indian Penal Code (hereafter '*IPC*') and Section 12 of the Passports Act, 1967 (hereafter '*PP Act*').

2. Briefly stated, the facts of the case are that a complaint was received at P.S. I.G.I. Airport, Delhi, regarding an incident that had occurred during the intervening night of 05-06.04.2024. At around 0200 hours, Air Canada Airlines had approached the immigration authorities, reporting that a passenger had attempted to board flight AC-051 to Montreal (Canada) using an Indian passport bearing number N8100525, issued in the name of Safar



Salman Meladath Valappil. The airline had found the documents suspicious and, therefore, had asked the passenger to wait for further verification from the Canadian ALO. However, as no response was received from the ALO, the passenger had been offloaded from the flight. However, when the airline had attempted to return the passport to him, the passenger was found missing. Subsequent investigation had revealed that the said passenger had gained access to the airport using a domestic ticket for Air India flight AI-463 (Delhi to Chandigarh) and an Aadhaar card issued in the name of Thangappa Vijaya Kumar. He had entered the airport premises on this basis but later had attempted to obtain a boarding pass for an international flight using a different passport. Further scrutiny of the passport revealed that the last arrival stamp dated 21.10.2023 at ICP Chennai did not appear to be genuine. It was also suspected that the original holder of the passport, who had departed for Canada on 19.09.2023 on a visitor visa, had not returned to India, and the passport had instead been sent to the present passenger *via* courier or other means. On the basis of these allegations, the present FIR was registered.

3. The learned APP for the State vehemently opposes the present bail application preferred by the accused, Syed Thurafuddin, and argues that the investigation has revealed his active and crucial role in the conspiracy. It is contended that the applicant was instrumental in orchestrating the fraudulent travel of co-accused T. Vijaya Kumar by arranging tickets and coordinating with other agents involved in document forgery. It is stated that the owner of Fly Triks, a ticketing agency, has specifically named the applicant as the person who had instructed him to issue the tickets for both Delhi-Canada and Delhi-Chandigarh travel. It is further argued that CCTV footage of the



airport clearly shows the applicant giving instructions to co-accused T. Vijaya Kumar at the airport. It is further submitted that the Call Detail Records (CDR) analysis has revealed continuous communication between the present applicant, and co-accused Pradeep who had allegedly taken ₹20 lakhs from co-accused T. Vijaya Kumar for arranging his entire journey. It is also contended that applicant did not join investigation initially, and only joined the same pursuant to grant of interim protection by the learned Sessions Court; however, he did not cooperate with the investigating agency. It is submitted that the custodial interrogation of the applicant is necessary, and therefore, the present application be dismissed.

4. The learned counsel for the applicant, on the other hand, argues that the applicant has been falsely implicated in the present case, and he has no role in the commission of alleged offence. It is also pointed out that the applicant has not been named in the initial complaint/FIR registered in the case. It is also contended that the applicant has no criminal antecedents, and the alleged financial transactions, in no way, connect the applicant with the co-accused persons. The learned counsel for the applicant also states that the applicant had, in fact, gone to the airport to meet co-accused T. Vijaya Kumar, on the instructions of co-accused Pradeep, to inform him as to how a flight is to be boarded from an airport. Therefore, it is prayed that the applicant be granted anticipatory bail in the present case.

5. This Court has **heard** arguments addressed by the learned counsel appearing for either side, and has perused the material placed on record.

6. In the present case, during the course of investigation, the police had obtained the mobile number of the co-accused/passenger T. Vijaya Kumar, and analyzed his Call Detail Records. Based on technical surveillance, he



was arrested on 07.04.2024 and he had disclosed that his entire journey was arranged by an agent named Pradeep in exchange for ₹20 lakhs. Co-accused Pradeep was subsequently arrested and he had revealed that he was merely a sub-agent, and the journey had been organized by another agent, Syed Thurafuddin i.e. the present applicant. Pradeep had also disclosed that one Rajapandiyan Pakirisamy had affixed a fake arrival stamp at ICP Chennai for ₹10,000, and that approximately ₹2 lakh had been transferred from Pradeep's account to the ticketing agency, Fly Triks. The owner of Fly Triks has confirmed during investigation that it was Syed Thurafuddin, the present applicant, who had instructed him to issue tickets for both Delhi-Canada and Delhi-Chandigarh flights. The learned counsel for the applicant has not disputed the fact that the applicant had booked the said flight tickets.7.

During the course of investigation, raids were conducted at the house of present applicant, but he was found absconding. CCTV footage obtained from CISF in this case purportedly shows the present applicant giving instructions to T. Vijaya Kumar at the airport. The factum of presence of the present accused, at the airport, is not disputed by the learned counsel for the applicant, though he presents a different version as to why the applicant had gone to the airport to meet co-accused T. Vijaya Kumar. 8. Analysis of CDRs in this case also revealed frequent communication between the applicant Syed and co-accused Pradeep, which *prima facie* gives strength to the prosecution's case that the applicant was in constant touch with co-accused persons and involved in commission of the alleged offence. 9.

During the course of investigation, a notice under Section 41A of Cr.P.C. had been served upon the applicant on 03.09.2024, directing his appearance on 07.09.2024. However, he had failed to join the investigation.



Though he had joined investigation pursuant to grant of interim protection by the learned Sessions Court, the IO submits that he had not cooperated with the investigation.¹⁰ In this Court's opinion, the material placed on record at this stage *prima facie* reveals the active involvement of the applicant in fabricating false immigration documents and allegedly, he is the main agent who had sent many people to foreign countries by using the same *modus operandi*. His custodial interrogation would be necessary in the given facts and circumstances. Thus, considering the overall facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the accused/applicant.

11. Accordingly, the present bail application stands dismissed. Pending application also stand disposed of.

12. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

13. The order be uploaded on the website forthwith.

FEBRUARY 28, 2025/AC

SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)