

**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, CHENGALPATTU**

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Thursday, the 13th day of August 2026.

Crl.M.P. No.2680 of 2026
(CNR No. TNCG01-005314-2026)

Proshanto Chandra Das Rajon, aged 21 years,
S/o.Asu Chandra Das Depal, .. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Central Crime Branch - II, Chennai,
Cr. No.72 of 2026 .. Respondent/Complainant
U/s.12(1)(b), 12(1A)(a) of the Passports Act, 1967, Sec.318(4), 336(3), 340(2)
of BNS, 2023 and Sec.31 of the Representation of People Act, 1951

This petition for bail coming on this day for hearing before me, M/s.Sriramnarayanan, the learned counsel for the petitioner/accused and M/s.V.Krishnamoorthy, the learned Public Prosecutor is appearing for the respondent/complainant, upon hearing both sides and upon perusal of case records, this Court made the following

ORDER

This petition is filed U/s.483 of BNSS 2023, seeking to enlarge the Petitioner on bail.

2. The petitioner/accused is facing charges for the offence U/s.12(1)(b), 12(1A)(a) of the Passports Act, 1967, Sec.318(4), 336(3), 340(2) of BNS, 2023 and Sec.31 of the Representation of People Act, 1951.

3. Notice given to the Public Prosecutor for the State and the oral reply submitted. Heard both sides. Records are perused.

4. The case of the prosecution is that the petitioner is the Bangladesh National. During October, 2023, the petitioner entered into India illegally by crossing the India - Bangladesh border. Thereafter, with the help of an

unknown agent, the petitioner obtained Indian Government documents viz., Aadhaar Card, Pan Card, Driving Licence, Voter Identity card and Indian Passport in the name of Rajon Das, through fraudulent means and by misrepresentating himself as an Indian Citizen, by suppressing his original nationality, thereby cheated the Indian Government. While so, on 02.06.2026, while he tried to depart to Bangladesh, through AIR at Chennai International Airport, he was secured. Subsequently, the FIR has been registered in Cr. No.72 of 2026 on the file of Central Crime Branch - II, Chennai.

5. The learned counsel for the petitioner submitted that the petitioner was arrested and remanded on 03.06.2026; the earlier bail application was dismissed by the learned Judicial Magistrate No.I, Alandur in CrI.M.P. No.1542 of 2026 on 16.07.2026; now the petitioner is under judicial custody for the past 72 days; the maximum period of detention provided under the mandatory clause of Sec.187(3) of BNSS, 2023 has been already completed; moreover, the petitioner is ready to abide by any conditions to be imposed upon him and he is ready to offer substantial sureties before the court and thereby prayed for enlargement on bail.

6. The learned Public Prosecutor, on the other hand, re-iterated the prosecution version. He would further submit that though the mandatory period provided under Sec.187(3) of BNSS, 2023 has been completed, Final Report is not yet filed.

7. From the perusal of records it appears that the petitioner is not only overstayed in India for a long time but also obtained Indian Government documents such as Aadhaar Card, Pan Card, Voters Identification, Passport and Family Card through unlawful means. However, it appears that the petitioner is in judicial custody for the past 72 days. It is seen, Final Report is not yet filed, though the fact the mandatory period is already over. Taking into

consideration of the period of custody and also considering the facts and circumstances of the case, this court is inclined to grant bail to the petitioner.

8. In the result, this petition is allowed; The petitioner/accused is ordered to be released on bail on his execution of bond for Rs.10,000/- with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.I, Alandur, with further condition that;

1. The sureties shall affix their photographs and Left Thumb Impression (LTI) in the surety bond and the sureties shall produce a copy of any identify proof before the learned Magistrate to ensure their identity.
2. **On release of the petitioner/accused, the respondent police is directed to take steps to keep the petitioner at Special Refugee's Camp at Trichy.**
3. The Petitioner/accused should not tamper the evidence either during investigation or trial;
4. If there is any breach of conditions, the Investigation Officer shall report to the learned Magistrate and the learned Magistrate shall take appropriate action as if the conditions have been imposed by the Magistrate himself/herself in accordance with the decision in ***AIR 2006 SC 100 - P.K. Shaji Vs State of Kerala.***

Pronounced by me in open Court on this the 13th day of August 2026.

Principal District and Sessions Judge,
Chengalpattu.

To

The Judicial Magistrate No.I, Alandur.

The Inspector of Police, Central Crime Branch - II, Chennai.

The Superintendent, Central Prison-II, Puzhal, Chennai.