



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.10172 of 2015

S,Jeyapaul

... Petitioner

Vs.

1.The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.

2. The Superintendent of Police,
Madurai District.

3.The Regional Passport Officer,
Kotchadai,
Madurai.

4.The Immigration Officer,
Madurai Airport,
Madurai.

... Respondents

Vijayalakshmi

... Intervenor

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying a direction permitting the petitioner to visit Srilanka from 15.06.2015 to 14.07.2015 for the purpose of entering into contract with M/s.ETA-MELCO, Engineering (PTE) Limited, Srilanka for the purpose of installing and commissioning elevators and escalators and to issue necessary orders to the respondents 3 & 4 to return the petitioner's passport bearing No. L5474071 and to permit him to travel to Srilanka.

For Petitioner : Mr.A.Rahul

For Respondents 1& 2 : Mrs.S.Prabha

Government Advocate (Crl.side)

(*) For Respondents 3 & 4 : Mr.C.Rajaraman**Central Government Standing Counsel**

ORDER

Seeking a direction to the third and fourth respondents to return the petitioner's passport and to permit him to travel to Srilanka, the petitioner has come up with this petition.

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2. Heard the learned counsel for the petitioner, learned Government Advocate (Crl. Side) appearing for the respondents 1 & 2, learned Central Government Standing Counsel appearing for the respondents 3 & 4 and also the learned counsel for the intervenor and perused the records carefully.

3. When the matter is taken up for hearing today the learned counsel for the petitioner has produced a sum of rupees one lakh to the respondent counsel which is received by the respondent counsel.

4. Admittedly, the investigation is over, therefore the petitioner cannot be forced to stay here, since he wants to visit Srilanka for business purpose.

5. Considering the facts and circumstances of the case, this court is of the view that there is no order to impound the passport. Even for impounding, a time limit has been fixed under the Passports Act, 1967. In this case, admittedly, there is no impounding at all. Hence, this court is of the view that the passport will have to be returned to the petitioner.

6. Accordingly, a direction is issued to the third respondent to return the passport to the petitioner within a period of one week. The petitioner is at liberty to appear before the third respondent to get back the passport along with a copy of this order. After that the passport will have to be returned to the petitioner.

7. The petitioner will have to report to the trial court for the next date of hearing after his return and co-operate for the trial. The permission given to the petitioner is only from 15.06.2015 restricted to 31.07.2015. He has to surrender the passport to the third respondent after returning from Srilanka and also the petitioner will have to be in India with effect from the first day of August i.e., on 01.08.2015 for the purpose of conduct of trial.

8. This criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (Per. Admn)

(*) Corrected order to be issued



To

To be substituted for the order already despatched

1. The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
2. The Superintendent of Police,
Madurai District.
3. The Regional Passport Officer,
Kotchadai,
Madurai.
4. The Immigration Officer,
Madurai Airport,
Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Rajaraman, Advocate in Sr. NO.33378

+3 cc to Mr.A.Rahul, Advocate in SR NO.33330

+1cc to Mr.V.Sasi Kumar, Advocate in Sr NO.33692

Cr1.O.P. (MD) No.10172 of 2015
24.06.2015

RG.25.06.2015 3P/11C.