



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.06.2015

WEB COPY

CORAM:
THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P. (MD) Nos.11846 of 2015

D.Umar

... Petitioner

vs.

The State rep. By
The Inspector of Police,
Puliyaraj Police Station,
Tirunelveli District.
(Crime No.149 of 2012)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Judicial Magistrate Court, Sencottai, to release the petitioner original passport bearing No.K.7502413 to him in connection with Crime No.149 of 2012 on the file of the respondent within the time stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.K.Anbarasan.
Govt.Advocate (crl.side)

ORDER

The petition has been filed praying to direct the learned Judicial Magistrate, Sencottai, to release the petitioner's original passport, bearing No.K.7502413, to him in connection with Crime No.149 of 2012, on the file of the respondent.

2. Heard both sides.

3. The grievance of the petitioner is that despite the fact that the case has been taken on file in C.C.No.272/2014, the Passport of the petitioner has not been returned. The learned counsel for the petitioner relied on a decision of this Court in Veenita Gupta v. State reported in (2011 (1) MLJ (Crl) 326), and submitted that the Passport cannot be impounded. He further submitted that the petitioner has filed an application before the learned Magistrate and the Magistrate has not taken the application on file. The <https://services.courts.gov.in/bcservices/> the view that the conditional order already passed is modified, the passport will be returned to him.



4. Considering the submission made, the learned Magistrate is directed to take the application filed by the petitioner on file and dispose of the same , within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the criminal original petition is disposed of .

SD

ASST REGISTRAR - AE

TRUE COPY

SUB ASST REGISTRAR

mpk

To

1.The Judicial Magistrate, Sencottai,

2.The Inspector of Police,
Puliyaraj Police Station,
Tirunelveli District.

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

1CC TO MR. D.SELVANAYAGAM, ADV SR: 34590

DM 13 JULY 2015 -2P 5C

CRL.O.P.(MD)Nos.11846 of 2015
29.06.2015