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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.08.2015
CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P(MD)No.15783 of 2015

S.Jeyapaul

... Petitioner/1st Accused

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

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to permit the petitioner to visit Srilanka for business purpose from 15.09.2015 to 31.10.2015 and further directing the respondents 3 and 4 to return the passport of the petitioner bearing No.L5474071 and to permit him to allow the petitioner to travel Srilanka.

For Petitioner ... Mr.A.Rahul

For R1 and R2 ... Mr.K.Anbarasan
Govt. Advocate (Cr1.Side)

For R3 and R4 ... Mr.S.Jayasingh
Central Govt. Standing Counsel

ORDER

The petitioner has come forward with this petition to direct the respondents to permit the petitioner to visit Srilanka for business purpose from 15.09.2015 to 31.10.2015 and further directing the respondents 3 and 4 to return the passport of the petitioner bearing No.L5474071 and to permit him to allow the petitioner to travel Srilanka.

2.Heard the learned counsel for the petitioner, learned Government Advocate(Cr1. Side) appearing for the respondents No.1 & 2, and the learned Central Government Standing Counsel appearing for the



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

4. 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 to be fixed under the Passports Act, 1967. In this case, admittedly, there is no impounding of passport at all. Hence, this court is of the view that the passport will have to be returned to the petitioner.

5. Accordingly, a direction is issued to the third and fourth respondents to return the passport to the petitioner on 20.08.2015. 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. The petitioner is permitted to pay the balance maintenance amount of Rs.55,000/- on or before 15.09.2015.

6. The petitioner has to report before the trial court for the next date of hearing and co-operate for the trial. The permission given to the petitioner is restricted only from 15.09.2015 to 02.11.2015. He has to surrender the passport to the third respondent after returning from Srilanka and also the petitioner has to be stayed in India with effect from the third day of November i.e., on 03.11.2015 for the purpose of conduct of trial.

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

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To:

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. A. Rahul, Advocate SR.No.47262

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18.08.2015