



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.04.2015
CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Crl.O.P. (MD) No.5391 of 2015

C.Rajan

... Petitioner

Vs.

The State of Tamil Nadu
represented by the Inspector of Police,
Anti-Land Grabbing Special Cell/
District Crime Branch,
Nagercoil,
Kanyakumari District
(Crime No.50 of 2013).

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to set aside the condition Nos.(i) and (v) imposed upon the petitioner pursuant to the order dated 11.12.2014 passed in Crl.M.P.No.3800 of 2014 on the file of the Court of Sessions, Kanyakumari Division at Nagercoil and direct the Special Judicial Magistrate for Land Grabbing Cases, Tirunelveli to return the passport to the petitioner.

For Petitioner : Mr.J.John Jayakumar

For Respondent : Mrs.S.Prabha
Govt. Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to set aside the condition Nos.(i) and (v) imposed upon the petitioner in Crl.M.P.(MD).No.3800 of 2014 on the file of the Court of Sessions, Kanyakumari Division at Nagercoil dated 11.12.2014 and direct the Special Judicial Magistrate for Land Grabbing Cases, Tirunelveli to return the passport to the petitioner.

2. The only condition sought to be set aside in this petition is surrendering of the passport.

3. Admittedly, the petitioner has been co-operating with the investigation. There is also a civil suit instituted by the de-facto



complainant in O.S.No.25 of 2013 before the Sub Court, Kuzhithurai, which is much prior to the filing of the present complaint. The petitioner has complied with the other condition to appear before the Investigating Officer.

4. Considering the same, the condition imposed regarding the surrender of the passport is set aside. However, it is made clear that the petitioner shall not leave the country without getting permission from the concerned Court.

With the above modification, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Sessions Judge,
Kanyakumari Division at Nagercoil.
2. The Inspector of Police,
Anti-Land Grabbing Special Cell/
District Crime Branch,
Nagercoil, Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.John Jayakumar, Advocate, SR.No.16975

Cr1.O.P. (MD) No.5391 of 2015
06.04.2015

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