

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL REVISION CASE No.2532 of 2014**

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**ORDER:**  
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The present Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C., questioning the order dated 10.07.2014 passed in Crl.M.P.No.82 of 2014 in C.C.No.108 of 2014 on the file of the Judicial Magistrate of First Class, Asifabad, wherein and whereunder an application for release of the passports was rejected.

The facts in issue are as under:

A charge sheet came to be filed against the petitioner for the offences punishable under Sections 417 and 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961. The said charge sheet was taken on file as C.C.No.108 of 2014. At the time of arrest, the police seized the passports of the petitioner and produced the same before the trial Court. During pendency of the case, the petitioner herein filed an application seeking release of the passports on the ground that he will loose his employment if he fails to report before his employer ie. General Electric Company at Stamford, CT, USA. The said application was rejected. Challenging the same the present revision is filed.

Learned counsel for the petitioner submits that the petitioner is assigned to work on a critical project for a Multi National Organisation as Project Manager, General Electric Company at Stamford, CT, USA. Though the petitioner is detained in India since March, 2014, his employer is willing to take him back, which is reflected in the letter dated 05.11.2014 issued by the HR Manager, Software Catalysts LLC. In view of the above, the counsel submits that any condition may be imposed and that he will appear before the Court as and when required by the Court.

Learned counsel for the first respondent though opposed the application, but however submits that suitable conditions may be imposed so as to secure his presence whenever needed.

Having regard to the circumstances of the case, taking into consideration the rival submissions made and as the identity of the petitioner is not in dispute, the request of the petitioner can be considered on the following terms and conditions.

- 1) The passports bearing Nos.F8051916 issued at Hyderabad and No.K0801801 which are seized in Crime No.37 of 2014 of Asifabad Police Station, which is subject matter of C.C.No.108 of 2014 on the file of the Judicial Magistrate of First Class, Asifabad, shall be returned to the petitioner, if they are in accordance with law.
- 2) The petitioner shall furnish his address, phone number and place of stay in U.S.A. or any other place where he works.
- 3) The petitioner shall take a fixed deposit for Rs.20,00,000/- in the name of the trial Court and deposit the same in the said Court along with one surety for the said sum. If the petitioner fails to attend the Court on any of the dates when his presence is specifically required by the Court ie. ie. during framing of charge, examination under Section 313 Cr.P.C. and on the date of judgment, the amount of Rs.20,00,000/- deposited by the petitioner shall be handed over to PW.1.
- 4) The passports of the parents of the petitioner shall be deposited before the Court till the completion of the trial in the said court.
- 5) It is made clear that the petitioner/accused shall not

raise any dispute with regard to the evidence adduced by either party during the course of trial on the ground that he was not present in the Court during the course of trial.

With the above direction, the Criminal Revision Case is allowed.

Miscellaneous petitions, if any, shall stand closed.

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**JUSTICE C. PRAVEEN KUMAR**

22.01.2015

Note: Issue C.C. tomorrow.

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