

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE Nos.1315 AND 1316 OF 2015

COMMON ORDER:

The criminal revision case No.1315 of 2015 is filed by the petitioner challenging the order dated 15.04.2015 passed in CrI.M.P.No.132 of 2015 in S.C.No.244 of 2015 by the Court of the Metropolitan Sessions Judge, Cyberabad, at L.B.Nagar, whereby the learned Judge dismissed the application of the petitioner seeking return of the passport of the petitioner. The criminal revision case No.1316 of 2015 is filed by the petitioner challenging the order dated 15.04.2015 passed in CrI.M.P.No.151 of 2015 in S.C.No.244 of 2015 by the Court of the Metropolitan Sessions Judge, Cyberabad, at L.B.Nagar, whereby the learned Judge dismissed the application of the petitioner seeking permission to leave the country for a period of 90 days.

Heard and perused the material available on record.

The allegation against the petitioner herein is that he came into contact with the victim girl through face book, obtained her contact number and got acquaintance, had sexual intercourse and eloped her to Nagarjuna Sagar and stayed there, and on the same day, he took the victim to Bangalore to consummate their marriage due to non-availability of money, the accused along with the victim girl returned to Hyderabad, and that he was caught hold by the police at RGI Airport. During the course of investigation, police have seized the passport and after full fledged investigation, charge sheet is filed.

Learned counsel for the petitioner submits that the petitioner is a Saudi Arabian National and that he is residing in India. He further submits that the Visa granted to the petitioner at Jeddah, Saudi Arabia was about to expire and as such, requests to return the passport and permit the petitioner to leave the country for the purpose of getting the Visa renewed at Jeddah.

The Court below dismissed the applications of the petitioners for return of the passport and permit the petitioner to leave the country on the

ground that if the passport is handed over to the petitioner and if the petitioner is allowed to leave the country, there is every possibility that the petitioner may not return to India to face the trial, in which case, it would be almost impossible to secure the presence of the petitioner/accused.

On perusing the impugned orders, this Court is of the view that the Court below has rightly dismissed the applications of the petitioner and the reasoning given by the Court below is proper. Taking into consideration the seriousness of the offence also, this Court is not inclined to interfere with the orders of the Court below. The case is already committed to the Court of Sessions and as the witnesses to be examined are only the victim girl and the Doctor, who are crucial witnesses to establish the case of the prosecution, the Court below is directed to fix dates of trial and conclude the trial as per the schedule so fixed, as early as possible, preferably within a period of four months.

The criminal revision cases are accordingly disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

21.07.2015

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