

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.3955 of 2015

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ORDER :

Impugning the order dated 09.10.2014 in CR.R.P. No.47 of 2014 by the learned First Additional Sessions Judge, Karimnagar, which is an application filed for return of passport of the petitioner/ A1 —husband of the de facto complainant, who is facing accusation in CC No.313 of 2014 for the offences punishable under Sections 498-A and 420 IPC and Section 4 of Dowry Prohibition Act along with his father as co-accused, the present Criminal Petition is filed.

2. It is the contention of the counsel for the petitioner that the learned Judge ought to have allowed the return of passport as the prospects of the petitioner are being hampered, by retention of the passport, otherwise he could go abroad to pursue his future prospects and financial survival. However, it is not a ground for taking back the passport as the bail granted is subject to condition of assurance of availability of accused to face trial and retention of passport as held by the Apex Court in ***Siddharam Satlingappa Mhetre vs State of Maharashtra***.

3. Having regard to the factual matrix, rather than ordering for return of passport, to give quick disposal of C.C No.313 of 2014 pending on the file of the learned Magistrate preferably within four (4) months from the date of receipt of copy the order, by conducting day-to-day trial with as per the letter and spirit of Section 309 Cr.P.C.

4. Accordingly, the Criminal Petition is disposed of.

5. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.05.06.2015

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