

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.12.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.1192 of 2016

&

Crl.M.P.No.10607 of 2016

B.Sivasaravanan ... Petitioner

vs.

State represented by
The Inspector of Police,
W 30 All Women Police Station
Poonamallee, Thiruvallur District ... Respondent

Criminal Revision filed under section 397 and 401 Cr.P.C.
praying to set aside the order passed by learned Judicial
Magistrate I, Poonamallee in C.M.P.No.4703/2016 in
C.C.No.236/2012 on 26.09.2016.

For Petitioner : Mr.G.Kuppuswamy
For Respondent : Mr.M.Mohammed Riyaz,
Government Advocate (Crl.side)

O R D E R

This revision is preferred against the order passed by the
learned Judicial Magistrate I, Poonamallee, in
C.M.P.No.4703/2016 in C.C.No.236/2012 on 26.09.2016.

2. Learned counsel for petitioner submits that his passport
came to be seized in connection with Crime No.10 of 2012 on the
file of the respondent. Pursuant to completion of investigation
and filing of a charge sheet in such case, petitioner/husband of
the defacto complainant as also his mother, father and brother
were tried for offence u/s. 498 A, 506(i) and Sec. 4 of the
Dowry Prohibition Act in C.C.No.236 of 2012 on the file of
Judicial Magistrate I, Poonamallee. Petitioner stands acquitted
in such case under judgement dated 25.11.2016. Learned counsel
for petitioner submits that as a consequence petitioner has had

return of his passport. In the circumstances, this revision does not survive consideration.

3.Learned counsel for petitioner submits that as the tourist visa has expired on 09.11.2016, petitioner has moved an application before the Foreigners Regional Registration Officer (FRRO), Chennai Bureau of Immigration on 05.12.2016, seeking an exit permit. The petitioner's visa had expired on 09.11.2016 and petitioner had been acquitted in C.C.No. 236 of 2012 only on 25.11.2016 as a consequence of which the passport of the petitioner stands returned to him. It is apparent that the petitioner over staying the visa period arose in circumstances beyond his control and that he cannot be faulted therefor. Therefore, this Court has no reason to think that the concerned officials will duly consider the application.

With the above observation, this revision shall stand dismissed. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate I, Poonamallee

2.The Inspector of Police,
W 30 All Women Police Station
Poonamallee, Thiruvallur District

3.The Public Prosecutor,
High Court, Chennai.

+4cc to Mr.A. Suresh Sakthi Murugan, Advocate, S.R.No.72351

ssi(CO)
md(15/12/2016)

Cr1.R.C.No.1192 of 2016