



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL MP(MD) No.5639 of 2016

IN

CRL OP(MD) No.12125 of 2010

REV.FR.DEVADOSS

..PETITIONER/2nd PETITIONER

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

FORT, TRICHY,

TRICHY DISTRICT.

..RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the condition imposed vide order dated 3.11.2010 in Crl.O.P.(MD). No.12125 of 2010 on the file of this Honourable Court by directing the court of the Additional District and Sessions Judge/Mahila Court, Trichy to return the petitioner's passport to him, which has been surrendered by the petitioner in connection with Crime No.62 of 2010 dated 11.11.2010 on the file of the respondent police.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.CIBI CHAKRABOORTHY, Advocate for the petitioner and of Mr.K.ANBARASAN, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This petition is filed to relax the condition imposed vide order dated 03.11.2010 made in Crl.O.P(MD).No.12125 of 2010 on the file of this Court by directing the Court of Additional District Sessions Judge / Mahila Court, Trichy to return the petitioner's passport to him, which has been surrendered by the petitioner in connection with Crime No.62 of 2010, dated 11.11.2010 on the file of the respondent Police.

2. The petitioner was charged for the offences under Sections 376 and 506(i) of IPC in Crime No.62 of 2010 and subsequently, the case was committed to the Additional District Sessions Court / Mahila Court, Trichy in S.C.No.101 of 2011.

3. This Court granted anticipatory bail to the petitioner on 03.11.2010 in Crl.O.P(MD).No.12125 of 2010. One of the condition imposed by this Court in Crl.O.P(MD).No.12125 of 2010 is that the petitioner should surrender his passport in the Court of the Additional District Sessions Judge / Mahila Court, Trichy and the petitioner complied with the said condition. When the matter was



committed to the Mahila Court, Trichy, all the documents including passport of the petitioner was handed over to the Mahila Court. The petitioner filed M.P.No.1 of 2013 in Crl.O.P(MD).No.12125 of 2010 for return of passport for renewal and this Court, by order dated, 03.06.2013 directed the Mahila Court, Trichy to return the Passport for the renewal and directed the petitioner to surrender the passport after renewal and the petitioner has complied with the condition. Now, the petitioner has come out with the present petition for the above said relief on the ground he has to leave India on 10.09.2016 for the meeting at Srilanka and return on 20.09.2016 and again he has to leave India on 30.09.2016 to attend the general congregation / Chapter of the Jesuits at Rome, Italy and return on 27.11.2016.

4. The learned Government Advocate (Crl. Side) submitted that earlier this Court directed the learned Additional District and Sessions Judge / Mahila Court, Trichy to give the petitioner's passport temporarily for renewal and after renewal he has to surrender the passport to the Court and that the same has been complied by the petitioner.

5. Considering the averments made in the petition and arguments of the learned counsels on either side, this Court is inclined to order the petition. Accordingly, this petition is ordered on condition that the petitioner shall file an affidavit before the learned Additional District and Sessions Judge (Mahila Court), Trichy stating that the date of his departure from India, date of his arrival, the particulars regarding his stay at Srilanka and Rome by giving correct address, Phone and Fax numbers and also to undertake to return the passport, after return from Srilanka and Rome viz., on or before 30.11.2016. On filing such an affidavit the learned Additional District and Sessions Judge / Mahila Court, Trichy is directed to hand over the passport to the petitioner.

sd/-

26/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (MAHILA COURT), TRICHY.
- 2 THE JUDICIAL MAGISTRATE NO.I, TRICHY.
- 3 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, FORT, TRICHY, TRICHY DISTRICT.

+2. C.C. to M/S T.CIBI CHAKRABOORTHY Advocate SR.No.39763

ORDER IN

CRL MP(MD) No.5639 of 2016

IN CRL OP(MD) No.12125 of 2010

Date : 26/07/2016

<https://hcservices.ecourts.gov.in/hcservices/>

PBK/NGM-MP/SAR-II 29/07/2016 ::2P-8C::