

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1155 OF 2016

ORDER:

This Criminal Revision Case is filed by the petitioner-accused No.1 under Sections 397 and 401 Cr.P.C., seeking to relax the conditions imposed by the XIV Metropolitan Magistrate, Cyberabad, L.B. Nagar, vide order, dated 22.02.2016, in CrI.MP. No.645 of 2016 in Crime No.32 of 2016 of Women Police Station, Saroornagar, Cyberabad.

Heard and perused the material available on record.

While granting bail to the petitioner in the above CrI.M.P., the learned Magistrate, imposed the following conditions:

“The petitioner shall appear before the Court on every date of adjournment. He is further directed that, he shall not leave the country without prior permission of this Court.”

Learned counsel for the petitioner submitted that the investigation in the case is not yet completed and the complaint also does not disclose any serious allegations against the petitioner. He further submitted that petitioner is working in USA and if the petitioner fails to report duty, he will lose his job and therefore, he prayed for return of the passport of the petitioner.

The de facto complainant opposed the application on the ground that if the passport is returned, the petitioner may not appear before the Court to face the trial.

Learned counsel for the petitioner submitted that the petitioner is ready to appear before the Court concerned or represent his case through his counsel on all hearing dates and cooperate with the trial for early disposal of the case, if charge sheet is filed.

Considering the rival contentions, this Court is of the view that return of passport to the petitioner will not cause any prejudice to the

case of the prosecution and refusal of return of passport to the petitioner will certainly cause prejudice to his future.

Hence, the trial Court is directed to return the passport of the petitioner on his executing a bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) with one surety for the like sum and the petitioner is permitted to leave abroad. It is further directed that the petitioner shall give an undertaking that he shall represent the case before the Court concerned, after filing of charge sheet, through his counsel on all hearing dates and he shall appear before the Court concerned as and when his presence is required.

With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 08, 2016.
KTL