

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4172 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C. seeking to quash order, dated 14.03.2016, in CrI.P.M.P. No.630 of 2016 in Cr.No.768 of 2015, passed by the XIII Additional Chief Metropolitan Magistrate, Hyderabad, wherein the learned Magistrate dismissed the application filed by the petitioner for interim custody of his passport.

Heard and perused the material available on record.

The petitioner is A1 in Crime No.768 of 2015 on the file of Women Police Station, CCS, Hyderabad, for the offences punishable under Sections 498-A, 406, 420, 506 and 354 IPC and 4 & 6 of the Dowry Prohibition Act. During the course of investigation, the investigating officer concerned, seized the passport of the petitioner. The petitioner filed the impugned application before the Court below for interim custody of his passport for a period of one month. The Court below dismissed the said application through the impugned order.

Learned counsel for the petitioner submitted that while granting bail to the petitioner, the Court below imposed a condition that the petitioner shall not leave India without its prior permission, thus retaining the passport was unwarranted and the impugned orders are erroneous.

Considering the facts and circumstances of the case and also taking into consideration the submission of the learned counsel for the petitioner, this Court is inclined to pass the following order:

The XIII Additional Chief Metropolitan Magistrate, Hyderabad is directed to release the passport of the petitioner, seized by the police in Crime No.768 of 2015 of Women Police Station, CCS, Hyderabad, on petitioner executing a personal bond for a sum of Rs.3,00,000/- (Rupees three lakhs only) with one surety for the like sum and also on giving an undertaking before the Court concerned, to cooperate with the trial by engaging a counsel on all hearing dates, if charge sheet is filed.

With the above directions, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 28, 2016.
KTL