

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:35050 OF 2016

ORDER:

1. The present writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in seizing the passport of the petitioner in the course of investigation of Crime No.146 of 2014 on the file of L.B. Nagar Police Station, Cyberabad, under seizure and recovery panchanama, as illegal and arbitrary.

2. It is stated in the affidavit that the petitioner is an Indian citizen holding passport, which is valid upto 20.10.2020, and he has been residing in USA and in view of death of his maternal uncle, he came to India to attend funeral ceremony. On 10.9.2016, the 3rd respondent arrested him and seized his passport in connection with the above crime registered for the offence under Section 384 IPC. It is stated that the petitioner got married recently and his wife is residing in USA and therefore, the 3rd respondent may be directed to release the passport.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the 3rd respondent is directed to return the passport of the petitioner on condition of the petitioner executing a personal bond for a sum of Rs.1,00,000/- (Rupees One lakh only) with one surety for the like sum to the satisfaction of the 3rd respondent.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 18th October, 2016
Nn.

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18/10/2016

Nn.