

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1509 of 2016

ORDER:

The petitioner/A-1 filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order, dated 06.06.2016, passed in CrI.M.P.No.525 of 2016 in Crime No.14 of 2015, on the file of the II Additional Judicial Magistrate of First Class, at Khammam.

Heard and perused the material available on record.

The petitioner filed the CrI.M.P.No.525 of 2016 in Crime No.14 of 2015 to direct the SHO, Mudigonda Police Station to release the passport of the petitioner/A-1 which was seized by them. The petitioner is arrayed as an accused for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act. At the time of arrest, the passport of the petitioner is deposited in the trial Court. The investigation is completed and charge sheet is also filed. The learned trial Judge dismissed the CrI.M.P.No.525 of 2016 on the ground that the trial cannot be proceeded, if the passport is returned to the petitioner herein. Aggrieved by the same, this criminal revision case is filed.

Learned counsel for the petitioner submitted that the petitioner/A-1 has filed an O.P. for divorce and he is ready to face the trial also and prayed for return of passport to go to abroad and he is ready to come before the trial Court as and when required.

Considering the facts and circumstances of the cases, this Court is inclined to pass the following order:

The II Additional Judicial Magistrate of First Class, at Khammam, is directed to return the passport of the petitioner on condition of

petitioner depositing an amount of Rs.5,00,000/- (Rupees five lakhs only) as surety and permit him to travel abroad. Further, the petitioner is directed to file an affidavit informing that he will appear before the concerned Court at the time of examination under Section 313 Cr.P.C. and at the time of pronouncement of judgment and the petitioner is directed to represent his case through A-2 and A-3 on all the hearing dates.

With the above directions, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

June 16, 2016.

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