

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.5438 of 2016

ORDER

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The present criminal petition under Section 482 Cr.P.C. is filed seeking to direct the Judicial Magistrate of First Class, Kuppam, to release the passport of the petitioner surrendered by him pursuant to the order dated 16.12.2011 passed in Crl.M.P.No.185 of 2011 in C.C.No.193 of 2011 on the file of Judicial Magistrate of First Class, Kuppam.

2. Heard and perused the material on record.

3. The petitioner/A1 is involved in C.C.No.193 of 2011 on the file of the Judicial Magistrate of First Class, Kuppam, registered for the offences punishable under Sections 447 and 379 or 411 IPC. At the time of granting bail, as per the direction of the Court, the petitioner surrendered his passport before the Court. Subsequently, the petitioner filed Crl.M.P.No.185 of 2011 seeking to return his original passport for the purpose of renewal and inspection of the concerned authorities. By order dated 16.12.2011, the said application was dismissed, against which, the petitioner filed a revision and the same was also dismissed. Hence, he filed the present petition.

4. Since the investigation in this case is completed and the charge sheet has been filed, I deem it appropriate to dispose of this Criminal Petition with the following direction;

The petitioner/A1 is directed to file an application afresh

before the trial Court for return of his passport, and on filing such an application, the trial Court is directed to return the passport to the petitioner on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to its satisfaction and also on his undertaking to appear before the trial Court on the date of his examination under Section 313 Cr.P.C. and pronouncement of judgment.

Miscellaneous Petitions, if any, pending in this petition shall stand closed.

JUSTICE RAJA ELANGO

19th April, 2016

sj