

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5629 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. challenging the order dated 10.3.2016 passed in Crl.M.P.No.133 of 2016 in C.C.No.80 of 2015 by the III Additional Chief Metropolitan Magistrate, Governorpet, Vijayawada.

The petitioner is alleged to have committed the offence punishable under Sections 420, 109, 120(B) IPC and Section 8 of the A.P. Public Examinations (Prevention of Malpractices and Unfair Means) Act, 1997.

The petitioner herein filed the above Crl.M.P. seeking return of his passport and seeking to permit him to go to Singapore. The learned Magistrate dismissed the same. Hence, the petitioner filed this petition.

Heard and perused the material available on record.

The above Crl.M.P. was dismissed by the learned Magistrate on the ground that if the passport of the petitioner is released, he may not turn up and he may flee away from the hands of justice and it will be very difficult for the police to produce him before the Court.

Learned Counsel for the petitioner submitted that the petitioner is ready to appear before the Court below after his return from abroad and that he is ready to execute a bond. He further submitted that the petitioner is having roots in India and his family and properties are in India and therefore, there is no possibility of fleeing away from the hands of justice.

Considering the facts and circumstances of the case and the submissions made by the learned Counsel for the petitioner, this Court is inclined to pass the following order:

“The learned III Additional Chief Metropolitan Magistrate is directed to return the passport of the petitioner

on his executing a personal bond for a sum of Rs.3,00,000/- (Rupees Three lakhs only) with one surety for the like sum to the satisfaction of the learned III Additional Chief Metropolitan Magistrate. The petitioner is permitted to go to Singapore and he is directed to file an affidavit before the learned Magistrate informing the dates of his travel and return.”

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 20.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 20.4.2016

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