

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.O.P.No.7103 of 2016

D.Kanakaraj

[Petitioner]

Vs

1.The Superintendent of Police,
Ariyalur District,
Ariyalur.

2.The Inspector of Police,
District Crime Branch,
Ariyalur.

[Respondents]

Petition filed under Section 482 of the Criminal Procedure Code, to direct the first and second respondents to return the passport bearing No.M1929798 which was impounded illegally by the second respondent, within a time frame fixed by this Court.

For Petitioner : Mr.P.Tamilavel

For Respondents: Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to issue a direction to the first and second respondents to return the passport bearing No.M1929798 belonging to the petitioner, which was impounded by the second respondent, within a stipulated time frame.

2.It is stated by the petitioner that a false case has been lodged against him by the second respondent police on the complaint made by one Sasikumar, Elangovan, Silambarasan and Kajara Beevi in the year 2015, alleging that the petitioner had received a sum of Rs.5,25,000/- through them for arranging visa to Singapore for Sasikumar. Thereafter, the second respondent called the petitioner's wife and asked her to bring the passport of the petitioner to the police station. When the petitioner's wife went to the Police Station along with his passport, the second respondent snatched the passport and kept the same with him without any enquiry. Till now, even after several requests,

the passport is not returned. Hence this Criminal Original Petition.

3.The learned counsel for the petitioner submits that the petitioner has made a representation dated 18.03.2016 to the first respondent in this regard, but the same has not been considered so far. Hence the learned counsel seeks for a direction to the respondents to consider the representation of the petitioner and to pass appropriate orders within a stipulated time frame.

4.Mr.C.Emalias, learned Additional Public Prosecutor takes notice for the respondents.

5.Taking into consideration the facts and circumstances of the case, the petitioner is directed to produce a copy of this order along with a copy of his representation dated 18.03.2016, to the second respondent. On such production, the second respondent is directed to dispose of the representation of the petitioner dated 18.03.2016 in accordance with law within a period of ten days therefrom.

6.The Criminal Original Petition is disposed of accordingly. List this Criminal Original Petition for compliance on 11.02.2017.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The Superintendent of Police,
Ariyalur District,
Ariyalur.

2.The Inspector of Police,
District Crime Branch,
Ariyalur.

3.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

4.The Section Officer,
Criminal Section, High Court, Madras.

+1 cc to Mr.P.Tamilavel,advocate,sr.5156.

gr(co)
krd 31/1

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