

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2216 OF 2017

ORDER:

The present Criminal Petition is filed under Section 482 Cr.P.C.
with the following relief:

“It is therefore prayed that this Hon’ble Court may be pleased to direct the Regional Passport Officer D.No.8-2-215-219 adjacent to Prashanth Theatre, Kummaraguda, Secunderabad, Telangana State to deliver the passport of the petitioner, pending disposal of the above criminal petition and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Sri D. Kodanda Rami Reddy, learned counsel for the petitioner, would submit that the bar provided by the provisions of Section 10 of the Passport Act is inapplicable when the accused is released on bail and in view of the fact that the petitioner was already released on bail on 26.01.2017, the Court below was not right in returning the petition filed by the petitioner, under Section 457 Cr.P.C., requesting to direct the Regional Passport Officer to deliver the passport of the petitioner.

3. Leaving it open to the petitioner to agitate the said ground or other grounds, if any, as the answer to the query raised by the Court below by resubmitting the petition, in which case, the Court below may proceed in accordance with law affording an opportunity to the

petitioner before passing any order, even on admitting the petition, if it opines, the present Criminal Petition is disposed of.

4. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

March 17, 2017.
MD

