

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46911 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to direct respondent No.2 to return the passport of the petitioner by declaring the action of respondent No.2 in further investigating and seizing the passport of the petitioner after filing final report without permission of the Court as illegal and arbitrary.

2. Heard and perused the material on record.

3. Case of the petitioner is that he is accused No.6 in C.C.No.468 of 2016 on the file of I Additional Judicial First Class Magistrate, Warangal, which was taken cognizance under Sections 498-A, 420 and 506 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961; that he is the brother-in-law of A-1 and in the charge sheet, there is no specific allegation against him with regard to dowry harassment; that when he was leaving to Saudi Arabia for employment purpose, the police seized his passport without the permission of the Court and hence, seeks a direction to respondent No.2 to return his passport.

4. Considering the facts and circumstances of the case, respondent No.2 is directed to return the passport of the petitioner on his execution of a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with one surety for the like sum.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

3.1.2017
AMD



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Date: 3.1.2017

AMD