

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7280 of 2017

ORDER:

Heard learned counsel for the petitioner/ A.1 of Crime No.74 of 2014 on the file of Cyber Crime Police Station, Detective Department, C.C.S, Hyderabad, registered for the offences punishable under Sections 66(A) and 67 of the I.T.A.Act, 2008 and Sections 120(B), 201, 306, 319, 320, 506 and 509 I.P.C and learned Public Prosecutor representing the State before ordering notice to respondent No.2 and perused the grounds urged in the quash petition.

Needless to say, there is a separate quash petition stated pending in CrI.P.No.5438 of 2017 including to take care of the contention of Section 66-A since struck down, continuation of the said offence no way survives.

It is impugning the order of learned Metropolitan Sessions Judge as FAC/ VII Additional Metropolitan Sessions Judge, Hyderabad, dated 27.03.2017 in CrI.M.P.No.792 of 2017 in CrI.M.P.No.2586 of 2014 in Crime No.74 of 2014, this Criminal Petition is filed.

CrI.M.P.No.2586 of 2014 is the regular bail order of the learned Sessions Judge at the crime stage. There was a

direction for impounding the passport as part of the conditions of bail. In fact, impound is a loose word used. It is a direction to deposit the passbook as part of the conditions, which is valid, as observed by this Court in CrI.R.C.No.3186 of 2016 dated 08.02.2017, by referring to the expression of the Apex Court in *Siddharam Satlingappa Mhetre v. State of Maharashtra*¹. In fact, the passport was asked to be deposited and earlier taken and re-deposited pursuant to the order in CrI.M.P.No.917 of 2015 dated 13.04.2015. Now, permitted by virtue of the impugned order dated 27.03.2017 to take back the passport to go abroad to see wife of the petitioner at Indianapolis, U.S.A. and redeposit on his return dated 30.06.2017.

Having regard to the above, there is nothing to interfere with the impugned order, but, liberty is given to the petitioner to seek for extension of time, if at all he could not return or he has to travel again.

Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 29.08.2017
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¹ 2011(1) ALT CrI. 69 (S.C)