

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9317 of 2017

ORDER:

Heard learned counsel for the petitioner/accused No.1 of crime No.177 of 2017 of Kadiri Town Police Station, Anantapur District, registered for the offences punishable under Sections 498-A, 307, 506 r/w 34 IPC and Sections 3 & 4 of Dowry Prohibition Act and also learned Public Prosecutor representing the 1st respondent-State and before ordering notice to the 2nd respondent-defacto complainant.

Undisputedly the passport is not with the police since deposited in the Court. Once such is the case, as also held by this Court in CrI.R.C.No.3186 of 2016 vide order dated 08.02.2017, the remedy of the petitioner is to approach the learned Magistrate by filing petition under Section 6(2) of the Indian Passport Act with reference to GSR-570 E dated 25.08.1993 for permission to take passport to obtain transit permission to go abroad subject to furnishing of any security for the return and undertaking to face trial in person or by special vakalat holder if permitted, as the case may be.

Accordingly and in the result, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 05.10.2017
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