

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION No.2153 OF 2017**

**ORDER:**

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to direct the Judicial Magistrate of First Class, Narayankhed, to issue 'No Objection Certificate' to the petitioners for obtaining passport to travel abroad, pending trial in C.C.No.254 of 2015 on the file of said learned Magistrate.

2. Heard Sri P.Vamsheedhar Reddy, learned counsel for the petitioners – accused Nos.3 and 9 in the aforesaid Calendar Case, and learned Additional Public Prosecutor for the State of Telangana.

3. Learned counsel for the petitioners would submit that earlier this Court, in CrI.P.No.12612 of 2011, in a similar situation, which is occurring in the instant case, has given a direction to the concerned learned Judicial Magistrate of First Class to issue 'No Objection Certificate' to the petitioner therein to go abroad and, therefore, a similar order be passed in this Criminal Petition also on the ground that the petitioners herein have to attend the convocation ceremonies of their sons, namely, Sri Akarsh Chincholi, studying M.S. II Year at Colorado State University, Colorado, U.S.A., whose convocation ceremony is scheduled in the month of May, 2017, and Sri Tarun Chincholi, Studying M.S. I Year at Arkansas State University, U.S.A., whose convocation ceremony would be held in the month of May,

2018, and, when a Memo was filed, along with request letters, before the learned Judicial Magistrate of First Class, Narayankhed, Medak District, in the said Calendar Case seeking to issue 'No Objection Certificate', the learned Magistrate has not passed any order, but has returned the Memo stating that the same is not maintainable.

4. Learned Additional Public Prosecutor for the State of Telangana has not opposed the request.

5. In view of the order, dated 08.12.2011, passed in CrI.P.No.12612 of 2011, annexed at page No.28 of the material papers, and since the sons of the petitioners are studying abroad, their request to direct the learned Judicial Magistrate of First Class, Narayankhed, to issue 'No Objection Certificate' for obtaining passport appears to be genuine.

6. Hence, the present Criminal Petition is allowed directing the learned Judicial Magistrate of First Class, Narayankhed, to issue 'No Objection Certificate' to the petitioners, as requested.

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**A. SHANKAR NARAYANA, J**

March 20, 2017.  
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