

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.7709 of 2018

Marie Stella Rane

... Petitioner

Vs.

The Union Territory of Puducherry
Represented by the Inspector of Police
Central Bureau of Investigation,
Special Crime Branch,
'A' Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar,
Chennai-600 090.
... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Chief Judicial Magistrate to return the petitioner's passport bearing No.07CR78885, permit her to renew the same and travel abroad to visit her children at France pending disposal of the CrI.A.No.18 of 2017 on the file of the II Additional District Sessions Judge at Puducherry.

For Petitioner : Mr.C. Arunkumar
For Respondents : Mr.K.Srinivasan
Special Public Prosecutor

ORDER

This Criminal Original petition is filed for seeking direction of this Court to return the petitioner's passport for her to travel abroad to meet her children at France.

2 The facts of the case is that one of the accused Dhanush @ Dhanassou (A1) impersonated himself as B.Charles, furnished fake documents for obtaining passport and also fabricated fake birth certificate as if issued by the Revenue authorities and mentioned his parents name as J.Baskar and Marie Stella Rene. Thus, the petitioner herein as biological parents and the petitioner has facilitated one Dhanush @ B.Charles for getting French passport.

3 The Trial Court has found the petitioner guilty and conviction and sentence to undergo Rigorous imprisonment for one year for

various offences and the period of sentence to run concurrently.

4 Aggrieved by that, the petitioner has preferred an appeal in CrI.A.No.18 of 2017 and the same is pending on the file of the II Additional District Sessions Judge, Puducherry. In the said circumstances, the petitioner by filing the present petition before this Court, seek return of her passport to travel abroad.

5 This Court finds no reason to entertain the petition, she being a Foreign National, the passport if returned will enable the petitioner/appellant to abscond. Therefore, the Appellate Court is directed to complete the hearing of arguments on the appeal and dispose the appeal in CrI.A.No.18 of 2017 on merits on or before 30.04.2018. With this direction, this Criminal Original petition stands disposed of.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rpl

To

1 The Inspector of Police,
The Union Territory of Puducherry,
Central Bureau of Investigation,
Special Crime Branch,
'A' Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar,
Chennai-600 090.

2 The II Additional District sessions judge Puducherry.

3 The Principal District sessions judge Puducherry.

4 The Public Prosecutor,
High Court, Madras.

copy to

The Chief Judicial Magistrate, Puducherry

+1cc to Mr.Arunkumar, Advocate, S.R.No.19319

CrI.O.P.No.7709 of 2018

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