

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.09.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM
Crl.O.P.No.21951 of 2018

Karthik

..Petitioner

Vs

State by

The Inspector of Police,
All Women Police Station,
Tindivanam,
Villupuram District.
(Crime No.2 of 2018)

..Respondent

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C., to issue suitable direction to the respondent herein viz. The Inspector of Police, All Women Police Station, Tindivanam, Villupuram District to return the petitioners passport bearing No.H2705113 forthwith.

For Petitioner : Mr.K.Balu
For Respondent : Ms.M.Prabhavathi (Criminal Side)
Additional Public Prosecutor

ORDER

This petition has been filed by the accused No.1 to direct the respondent to return the petitioner's passport bearing No.H2705113.

2.Learned Counsel for the petitioner has submitted that the respondent has filed the charge sheet against the petitioner and his family members in C.C.No.95 of 2018 on the file of the Judicial Magistrate No.II, Tindivanam for the offences under Sections 294(b), 498(A), 506(i) IPC. He further submitted that since at the time of filing of the said charge sheet, the petitioner was working at Singapore, the respondent has shown him as absconding accused and based on the same, the learned Judicial Magistrate has issued a Non-Bailable Warrant. He further submitted that when the petitioner came to India, the respondent has arrested him and produced before the concerned Judicial Magistrate, Tindivanam and subsequently he was released on bail. He further submitted that at the time of arrest, the respondent has seized the passport, but she refused to return the same. He further submitted that since the petitioner has to go back to Singapore to report duty before his employer, the passport is necessary and hence, he request to direct the respondent to return the passport.

3.The learned Public Prosecutor has submitted that after seizing the passport, the respondent has produced the same before the Judicial Magistrate, No.2, Tindivanam and hence the petitioner may be directed to file necessary application before the concerned Magistrate for return of the passport.

4. Considering the aforesaid submissions, the petitioner is directed to file an application before the Judicial Magistrate, No.2, Tindivanam, for return of the passport and if any such application is filed, the Judicial Magistrate, No. II, Tindivanam has to consider and pass orders in accordance with law.

5. With the above said observations, this petition is disposed of.

Sd/-

Assistant Registrar (CS ix)

//True Copy//

Sub Assistant Registrar

ggi/arb
To

1.The Inspector of Police,
All Women Police Station,
Tindivanam,
Villupuram District.

2.Public Prosecutor,
High Court,
Chennai.

+1cc to Mr.K.Balu , Advocate SR.No. 63571

सत्यमेव जयते

Cr1.O.P.No.21951 of 2018

ASK(26/09/2018)

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