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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI. OP (MD)No.4560 of 2018

and

CrI MP(MD)No.2240 of 2018

S.R.Ravi

... Petitioner

Vs.

1.State rep.by

The Inspector of Police,
All Women Police Station,
Thiruvarumbur, Trichy District.
Crime No.4 of 2018

2.Sivagami

... Respondents

Prayer : This Criminal Original Petition is filed Under Section 439 (1) (b) of Criminal Procedure Code to call for the records pertaining to the order dated 05.03.2018 passed by the Principal Sessions Court, Tiruchirappalli in Cr.MP No.968 of 2018 and set aside the order directing the petitioner to surrender his original passport before the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli at the time of his surrender.

For Petitioners : Mr.P.T.Ramesh Raja

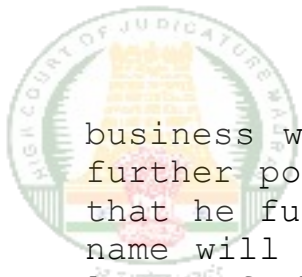
For Respondents : Mr.A.Robinson,
Govt Advocate (CrI.Side) for R1

Mr.K.Sivabalan for R2

ORDER

The petitioner was implicated in a matrimonial case at the instance of the second respondent herein. The petitioner applied for anticipatory bail. The same was granted. However, the Sessions Court imposed a condition that the petitioner should surrender his passport. Aggrieved by the same, this Criminal Original Petition has been filed.

2.The learned counsel for the petitioner submitted that the petitioner is having business not only in India but also in abroad. If his passport is ordered to be surrendered, his



business will be ruined. The learned counsel for the petitioner further pointed out that he has immovable properties in India and that he further undertakes whatever properties are standing in his name will not be further encumbered and alienated except with the leave of the concerned jurisdictional magistrate Court.

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3. This undertaking given by the learned counsel for the petitioner is recorded. He further submitted that he would not flee from the arms of justice and that the petitioner has to necessarily be in India in order to take care of his properties and other business. Recording the said undertaking, the condition imposed by the Trial Court with regard to surrender of the petitioner's passport is set aside. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (AD-I)

/True copy/

Sub Assistant Registrar

To

1. The Principal Sessions Court,
Tiruchirappalli.
2. The Judicial Magistrate,
Additional Mahila Court,
Tiruchirappalli.
3. The Inspector of Police,
All Women Police Station,
Thiruvarumbur, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. P. T. RAMESH RAJA, Advocate, SR.No. 63223

+1cc to Mr. K. SIVABALAN, Advocate, SR.No. 62939

Cr1. OP (MD) No. 4560 of 2018
and
Cr1 MP (MD) No. 2240 of 2018
23.04.2018

SKM