

THE HON'BLE SRI JUSTICE P. KESHA RAO
CRIMINAL REVISION CASE NO.1875 OF 2018

ORDER:

Heard the learned counsel for the petitioner and the learned Public prosecutor appearing for the respondent State.

2. The present Criminal Revision Case is filed questioning the orders passed in CrI.M.P.No.826 of 2018 in Cr.No.27 of 2018 dated 25.6.2018 on the file of the I.Additional Judicial Magistrate of First Class, Nizamabad, dismissing the petition filed under Section 451 Cr.P.C. seeking return of passport.

3. The facts in brief are that the petitioner has been charged for the offence under Section 498-A IPC and Section 4 of Dowry Prohibition Act in Cr.No.27 of 2018. Pending the crime, the petitioner filed petition in CrI.M.P.No.826 of 2018 on the file of the above said Court seeking return of the passport enabling him to go abroad. After hearing, the said petition was dismissed by orders dated 25.6.2018. Aggrieved by the same, the present Criminal Revision Case is filed.

4. Learned counsel for the petitioner would submit that the petitioner has to report back to his employer in the state of Qatar by 1.8.2018, otherwise, his employment Visa will be cancelled and the petitioner will be deprived of his livelihood. The petitioner does not have any intention to evade the process of the Court but it is only to report back to his employer for extension of Visa. In fact, the

petitioner has got his entire family in India and on returning from Qatar, he will re-deposit the passport in the Court below.

5. On instructions, learned Public prosecutor appearing for the respondent State, would submit that the investigation is almost completed and charge sheet has to be filed. He also brought to the notice of this Court that the presence of the petitioner, is not required at this stage since the investigation is already completed.

6. Having heard both the counsel and in the peculiar facts and circumstances of this case, this Court deems it appropriate to direct the I.Additional Judicial Magistrate of First Class, Nizamabad to return the passport bearing No.M3493206 to the petitioner enabling him to go the State of Qatar for the purpose of reporting to his employer, and on returning, the original passport has to be re-deposited with the Court below.

7. In these circumstances, Criminal Revision Case is disposed of directing the I.Additional Judicial Magistrate of First Class, Nizamabad to return the passport bearing No.M.3493206 to the petitioner subject to the petitioner furnishing the travel particulars with contact numbers in the Court below and the petitioner is directed to furnish a bank guarantee for a sum of Rs.3,00,000/- (Rupees three lakhs only) apart from furnishing two sureties for the likesum. At any rate, the petitioner should report back and re-deposit the original passport before the I.Additional Judicial Magistrate of First Class, Nizamabad, on or before 1.11.2018.

Pending miscellaneous petitions, if any, shall stand closed.

No order as to costs.

P. KESHAHA RAO,J

Date: 1.8.2018

NOTE:

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