

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.01.2019

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1699 of 2019

K.Bhavani Shankar

...Petitioner

Vs.

The Inspector of Police,
B-9, Saravanapatty Police Station,
Coimbatore.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Principal District Court, Coimbatore to pass appropriate orders directing the Judicial Magistrate No.II, Coimbatore to return the passport of the petitioner with No.057897903, surrendered in connection with Crime No.711 of 2013 on the file of the Inspector of Police, B-9 Saravanapatty Police Station, Coimbatore.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed challenging the order passed by the Court below refusing to return the passport deposited by the petitioner pursuant to the condition imposed, while granting bail to the petitioner in Crime No.711 of 2013.

2. The petitioner has sought for the return of the passport for the purpose of renewal. It is seen that the period of passport expired on 21.06.2015. Therefore, the petitioner wants to renew the passport and thereafter deposit the same before the Court.

3. The Court below has rejected the request made by the petitioner only on the ground that the passport had expired in the year 2015 itself but, however the petitioner has filed for renewal of the passport only in the year 2018. This Court is not able to agree with the reason given by the Court below for rejecting the request made by the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner will also file an undertaking before the Court below to the effect that the passport will again be surrendered before the Court immediately after the renewal of the same.

5. In the facts and circumstances of the case, there shall be a direction to the Judicial Magistrate No.II, Coimbatore, to return the passport of the petitioner in order to enable the petitioner to renew the passport. The concerned Court shall get an affidavit of undertaking from the petitioner to the effect that the petitioner will surrender the passport after renewing the same.

6. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsa/msrm

To

1.The Judicial Magistrate No.II,
Coimbatore.

2.The Inspector of Police,
B-9, Saravanapatty Police Station,
Coimbatore.

3.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.C.D.Sugumar,Advocate, S.R.No.5632.

rrs 13/02/2019

CrI.O.P.No.1699 of 2019

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