

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.3700 of 2019

IN CRL.A.NO.157 of 2015

N.P.MANIKANTAN

[PETITIONER]

Vs

THE STATE REP BY ITS,
THE DEPUTY SUPERINTENDENT OF POLICE,
SPE/CBI/ACB, CHENNAI.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To grant permission to renew the petitioners passport bearing No.P3886418 for a period of ten years.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.C.P.PALANICHAMY, Advocate for the petitioner and of MR.K.SRIVIVASAN, Spl. Public Prosecutor for CBI-cases, on behalf of the Respondent, the court made the following order:-

This petition has been filed seeking to grant permission to renew the petitioner's passport bearing No.P3886418 for a period of ten years.

2. The learned counsel for the petitioner would submit that the petitioner was convicted by the learned XIII Additional Sessions Judge for CBI Cases, Chennai, on 20.03.2015 for the offence under Section 12 of Prevention of Corruption Act, 1988 and sentenced to undergo 4 years Rigorous Imprisonment and to pay a fine of Rs.50,000/- in default to undergo Simple Imprisonment for six months. He would further submit that the appeal is pending. This Court has granted suspension of sentence and he came out on bail 27.03.2015. He would also submit that the petitioner has been issued with the passport bearing No.P3886418 by the Regional Passport Office, Bangalore and that the said Passport was due to expire on 14.07.2013 and that he had filed a petition before the Trial Court in

Crl.M.P.No.558 of 2013 seeking for no objection from the trial Court for renewing the Passport and the same was allowed on 03.09.2013. Thereafter, the petitioner was convicted in the above case. He had filed a petition for renewal of Passport and this Court by order dated 28.04.2015 in Crl.M.P.No.2 of 2015 granted permission to renew this Passport. Thereafter, once again he had approached this Court and by earlier order dated 28.04.2016 in Crl.M.P.No.3749 of 2016, it was renewed for one year and thereafter, the validity of the Passport is expired on 08.08.2017. He had filed another petition in Crl.M.P.No.13555 of 2017 for re-issue of the passport and it was allowed on 01.11.2017 and it had been issued a validity for a period from 08.03.2018 to 07.03.2019. He would further submit that the Passport has expired on 07.03.2019. and thereby, the petitioner has filed the present petition seeking permission to renew the Passport.

3. The learned Special Public Prosecutor for CBI would submit that the appeal is pending before this Court and he has no objection for renewal of the passport for a limited period of one year. However, he would submit that if at all the petitioner needs to travel abroad he has to file appropriate petition seeking permission to travel abroad and that he should not leave the country without obtaining permission.

4. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner as well as the learned Special Public Prosecutor for CBI, this Court is inclined to permit the petitioner to renew his passport for a period of one year. Accordingly, the Criminal Miscellaneous Petition is disposed of.

-sd/-
13/03/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XIII ADDITIONAL SESSIONS
JUDGE FOR CBI CASES, CHENNAI.

2 THE SPECIL PUBLIC PROSECUTOR FOR CBI CASES
<https://hcservices.accounts.gov.in/hcservices/>
HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
SPE/CBI/ACB, CHENNAI.

+1 C.C. to M/S.C.P.PALANICHAMY Advocate on payment of necessary
charges SR.NO.5205

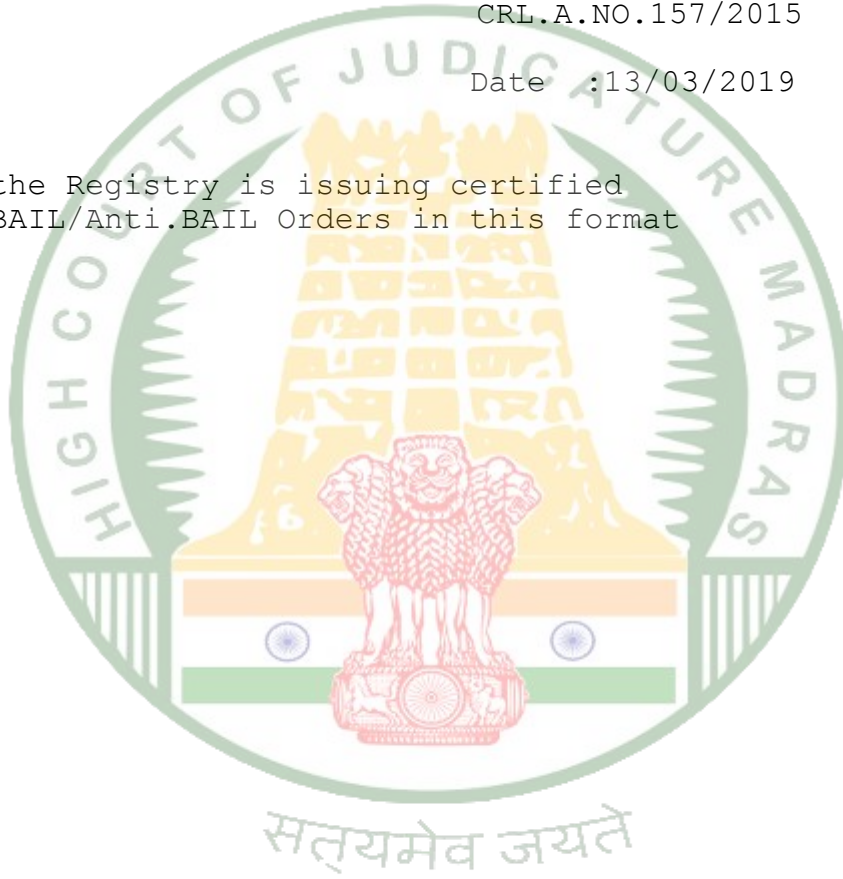
Order

in
CRL MP.3700/2019
in
CRL.A.NO.157/2015

Date :13/03/2019

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TA-18/03/2019



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