

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.09.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

Criminal Original Petition.No.6526 of 2019

Shri.M.Prem Kumar,
S/o.Shri.R.Mohan,
Residing at New No.22, Old No.20,
Kilpauk Garden First Cross Street,
Kilpauk, Chennai - 600 010. ... Petitioner/Accused 2

/verus/

State Rep. by
Superintendent of Police,
CBI, ACB, Shastri Bhavan,
Chennai - 600 006. ... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to set aside the order in CrI.S.R.No.642/2019 in CrI.M.P.No.557/2017, in R.C.M.A.No.1/2016 A0040 passed by the XI Additional CBI Court, Chennai dated 19.02.2019 and direct return of the Indian Passport bearing No.Z1764282, for travel abroad subject to such terms and any conditions.

For Petitioner : Mr.B.Sathish Sundar

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (C.B.I)

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Special Public Prosecutor for the respondent.

2. The petitioner herein is one of the accused in R.C.M.A.1 of 2016 A0040 investigated by the respondent/C.B.I. Hence, the petitioner sought for return of passport, to visit UAE and Singapore.

3. On notice, the respondent has verified the credence of the petitioner's request and after ascertaining from the counterpart at UAE, Dubai, cleared the request of the petitioner. Hence, this Court vide order dated 19.07.2019

permitted the petitioner to visit UAE, Dubai and return on certain conditions. Since, the respondent was awaiting report from the counterpart from Singapore, the matter has been kept adjourned time to time.

4. Today, when the matter is listed, the Learned Special Public Prosecutor for the respondent/C.B.I states that, despite their efforts, they were not able to get clearance from their counterpart at Singapore. Any way, the petitioner antecedent does not warrant withholding of the permission to visit abroad, so the request of the petitioner may be considered.

5. The learned Counsel for the petitioner states that, the petitioner proposed to visit Singapore during the 1st week of October 2019. Recording the same, the Criminal Original Petition is disposed of; on the following terms.

(i). The petitioner shall receive the passport from the Trial Court on or before 01.10.2019 and after completion of his visit to Singapore, shall surrender it back in the trial Court by 15.10.2019.

(ii). The petitioner shall not visit any other Country and he shall not overstay beyond 15.10.2019.

(iii). In future, if the petitioner requires passport for travel abroad, the trial Court shall consider the request and antecedent of the petitioner and pass order on merits, after hearing the respondent/C.B.I.

6. Recording the same, the Criminal Original Petition is disposed of. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

bsm

To

1. The XI Additional CBI Court, Chennai
2. The Superintendent of Police, CBI, ACB, Shastri Bhavan,
Chennai - 600 006.
3. The Special Public Prosecutor, C.B.I, High Court, Madras.
+2CCs to Mr.B.Sathish Sundar, Advocate sr 77177

CrI.O.P.No.6526 of 2019

SAI(CO)
SP(17/09/2019)