

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.06.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P. No.14479 of 2019

Nicolae Ciumpileac

.. Petitioner

.vs.

1.The Inspector of Police,
Madipakkam Police Station,
Chennai.

2.The Inspector of Police,
Bank Fraud (Team-12),
Central Crime Branch,
Vepery,
Chennai.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to give NOC to petitioner (Nicolae Ciumpileac, Pass Port No.055375290) to travel abroad in connection with Crime No.602 of 2018.

For Petitioner : Mr.S.Vinoth Kumar

For Respondent : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the respondents give NOC to the petitioner to travel abroad.

2.The petitioner is a Romania citizen who has committed a crime when he was staying in Chennai. The crime involves preparing fake ATM cards, through which several persons were cheated. When the petitioner was granted bail, he was directed to furnish the photo copy of the Passport and return the original passport as and when required by this Court. A further condition was also imposed to the effect that as and when the petitioner wants to travel abroad, he has to inform the same to the Court and get a NOC from the respondent.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he is a citizen of Romania and that he wants to visit his family at Romania and come back within a time stipulated by this Court. Therefore, he requested that the respondent Police should give a NOC to enable the petitioner to undertake his travel.

4.The learned Additional Public Prosecutor vehemently opposed this petition and submitted that if the petitioner is permitted to leave India, thereafter it will not be impossible for the respondent to secure the petitioner and the entire investigation will come to a standstill. The learned counsel further submitted that the case involves a serious crime and therefore, till the completion of the case, the petitioner should not be permitted to leave India.

5.This Court has carefully considered the submissions made on either side and materials placed on record.

6.Admittedly, the petitioner is a citizen of Romania and that even if stringent conditions are imposed by this Court, there is no assurance that the petitioner will come back to India and if he does not return back to India, it will be impossible to secure his presence and the entire investigation will come to a standstill. Therefore, this Court is not inclined to permit the petitioner to leave India till the completion of the case.

7.Taking into consideration the facts and circumstances of the case, there shall be a direction to the respondent Police to complete the investigation and file a final report within a period of three months from the date of receipt of copy of this order.

8.In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Inspector of Police,
Madipakkam Police Station,
Chennai.

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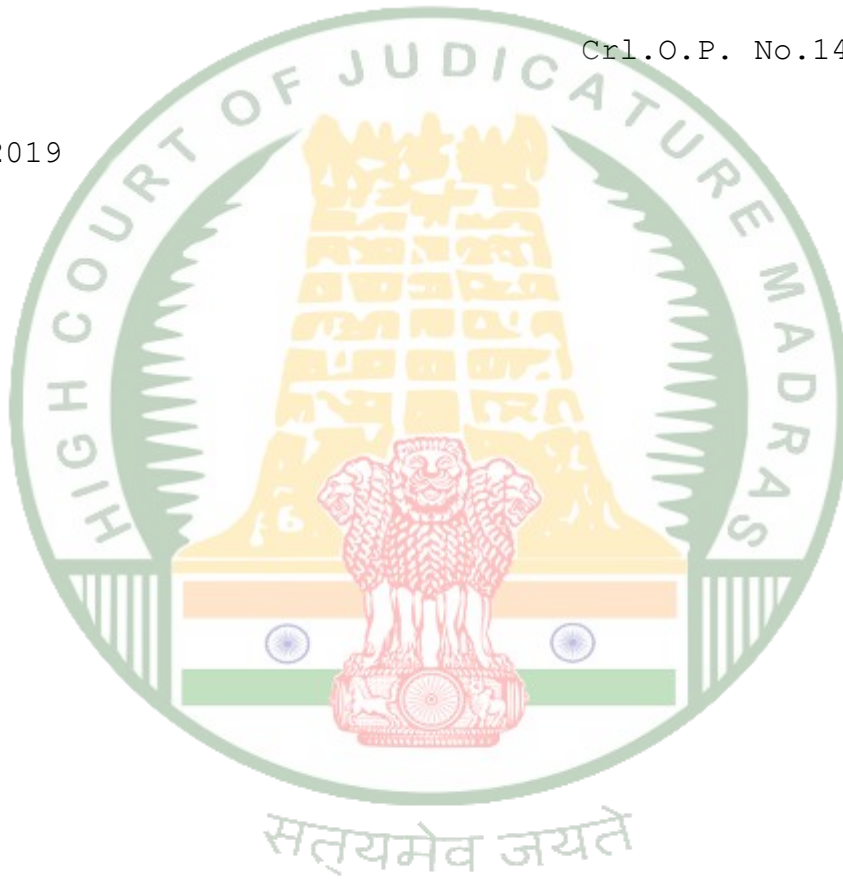
2.The Inspector of Police,
Bank Fraud (Team-12),
Central Crime Branch,
Vepery,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Vinoth Kumar, Advocate sr.48276

Cr1.O.P. No.14479 of 2019

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nr 12/07/2019



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