

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14793 of 2019

T.C.Raman

.. Petitioner

Vs

State Rep. By the Inspector of Police,
District Crime Branch
Thirupur
Crime No.71 of 2004

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. to return the passport of the Petitioner which was surrendered before the Judicial Magistrate, Dharapuram in respect of the case in C.C.No.30 of 2015 on the file of Judicial Magistrate, Dharapuram (Crime No.71 of 2004, District Crime Branch, Thirupur) to the Petitioner.

For Petitioner : Mr.Sasidharan .A

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

O R D E R

This petition has been filed seeking for a direction to the learned Judicial Magistrate, Dharapuram to return the passport of the petitioner which was surrendered before the said Court, pursuant to the orders passed by this Court in a bail petition in Crl.O.P.No.17566 of 2018.

2.It is seen from the records that the petitioner was added as A2 in the case and he was arrested and remanded to judicial custody. The petitioner filed a bail petition before this Court in Crl.O.P.No.17566 of 2018 and this Court by order dated 16.08.2018 released the petitioner on bail by imposing various conditions. One such condition was that the petitioner should surrender his passport before the learned Judicial Magistrate, Dharapuram. The petitioner complied with the said order and surrendered his passport.

3. Thereafter, the main case itself was decided and by a judgment dated 17.12.2018, the petitioner was acquitted from all charges by the learned Judicial Magistrate, Dharapuram.

4. The petitioner thereafter filed an application before the trial Court seeking for return of the passport. The said petition was not entertained and therefore the petitioner has approached this Court seeking for appropriate direction.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent Police.

6. In view of the fact that the petitioner has been acquitted from all the charges by the trial Court by judgment dated 17.12.2018, the petitioner is entitled to get back his passport which was surrendered before the trial Court, pursuant to the orders passed by this Court in the bail petition.

7. In the result, this Criminal Original Petition is allowed and the petitioner shall file an appropriate application before the trial Court and the trial Court shall allow the said application by passing necessary orders. There shall be a direction to the learned Judicial Magistrate, Dharampuram to return the passport of the petitioner.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

vs/rna

To

1. The Judicial Magistrate, Dharapuram.

2. The Inspector of Police,
District Crime Branch,
Thirupur.

3. The Public Prosecutor, High Court, Madras.

+1cc to Mr.A.Sasidharan, Advocate SR.No.47824

CrI.O.P.No.14793 of 2019

NRL (CO)
GMY (27/06/2019)