

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the First day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION NO.10585 OF 2019

IN

CRL.OP.NO.28408 OF 2017

CHIRAG CHAMOLI

[PETITIONER]

Vs

1 THE STATE OF TAMILNADU

[RESPONDENTS]

REP. BY THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TIRUPPUR DISTRICT

2 C.LOGANATHAN

Petition praying that in the circumstances stated therein the High Court will be pleased to direct the Learner Judicial Magistrate No-4, Tiruppur to return the petitioners Indian Passport bearing No.G6061965 which was surrendered by the petitioner on 26.12.2017 in pursuance of the order dated 22.12.2017 passed in C.M.P.No.1590/2017 by the learned Principal Sessions Judge, Tiruppur pending disposal of the quash CRL.OP.NO.28408 OF 2017

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.K.M.D.MUHILAN, Advocate for the petitioner and of MR.M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR on behalf of the 1st Respondent and of MR.PANDIYARAJ Advocate on behalf of the 2nd Respondent, the court made the following order:-

This petition has been filed seeking for return of passport which was surrendered by the petitioner before the learned Judicial Magisterial No.IV, Tiruppur, pursuant to the orders passed in the bail petition.

2.The Criminal Original Petition has been filed challenging the FIR registered in Crime No.25 of 2017 and this Court by an order dated 19.12.2017, was pleased to stay the investigation in Crime No.25 of 2017 and the order of stay is in force till date.

3.The petitioner is seeking for return of the passport of the petitioner to renew the same and travel to United Kingdom temporarily in connection with his employment. This passport was surrendered by the petitioner based on the condition imposed by the learned Sessions Judge, while granting bail to the petitioner.

4.In view of the fact that the investigation itself has been stayed by this Court and the petitioner wants the passport for renewal and travel to United Kingdom for his employment and in view of the undertaking given by the petitioner that he willfully co-operate for the investigation and return back to India, this Court is inclined to grant permission to the petitioner as prayed for.

5.This Criminal Miscellaneous Petition is disposed of with a direction to the learned Judicial Magistrate No.IV, Tiruppur to return the passport of the petitioner after getting an undertaking affidavit from the petitioner which shall contain the period of stay in United Kingdom and also his address for communication and the phone numbers in which the petitioner can be contacted. The Court below shall also insist for the execution of the bond by the petitioner along with one surety. On fulfilling the condition, the passport shall be returned to the petitioner and the petitioner is permitted to travel abroad, pending disposal of the Criminal Original Petition.

-sd/-
01/08/2019

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.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE,
NO.IV, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE PRINCIPAL SESSIONS JUDGE,
TIRUPPUR.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TIRUPPUR DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.K.M.D.MUHILAN Advocate on payment of necessary
charges

Order

in
CRL MP.10585/2019

in
CRL OP.28408/2017

Date :01/08/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MK:02/08/2019

सत्यमेव जयते

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