

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRIMINAL PETITION No.2966 of 2019

ORDER:

This petition is filed seeking relaxation of the condition imposed on the petitioner-A.4 for depositing her Passport by the learned II Additional Metropolitan Sessions Judge, Hyderabad, in Crl.M.P.No.1031 of 2019 in Crime No.520 of 2016.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent.

By order, dated 15.09.2016, in Crl.M.P.No.2573 of 2016 in Crime No.520 of 2016, the learned II Additional Metropolitan Sessions Judge granted bail to the petitioner subject to her surrendering passport. Thereafter, the petitioner filed Crl.M.P.No.2351 of 2018 seeking relaxation of the aforesaid condition, and the learned Judge *vide* order, dated 14.08.2018 relaxed the said condition by giving interim custody of the passport to the petitioner from 14.08.2018 to 16.11.2018 and thereafter, the same was extended till 15.04.2019. Again, the petitioner filed Crl.M.P.No.1031 of 2019 seeking relaxation of the aforesaid condition and to extend the time for a period of six months. The learned Judge by order, dated 10.04.2019 granted time by directing the petitioner to re-deposit the passport in the Court on or before 10.06.2019.

It is submitted by the learned counsel for the petitioner that as on date, charge sheet is not filed.

It is submitted by the learned Public Prosecutor that there is no information as to when the charge sheet would be filed.

Considering the fact that the petitioner is only Accused No.4 and the offences alleged against her are only under Sections 498-A and 406 IPC and as she is residing in Sharjah, this Court is of the opinion that re-depositing of the passport would not be possible and no useful purpose would be served, if she is directed to redeposit the same. Further, it is not even the case of the prosecution that the petitioner's presence is required in the process of investigation as on date. In the circumstances, the condition of re-depositing the passport is required to be deleted.

Accordingly, the condition of re-depositing of passport by the petitioner is deleted and the Criminal Petition is allowed.

Dt:02.07.2019
kdl

CHALLA KODANDA RAM, J

