

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.7629 of 2019

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioner/accused No.2 seeking to quash the order, dated 15.11.2019, passed in CrI.M.P.No.4028 of 2019 in CrI.M.P.No.3261 of 2019 in Crime No.206 of 2017 by the II Additional Metropolitan Sessions Judge, Hyderabad, and consequently direct the learned XII Additional Chief Metropolitan Magistrate, Hyderabad, to release the original passport bearing No.Z3930794 in favour of the petitioner/accused No.2.

2. Heard the learned counsel for the petitioner/accused No.2 and the learned Additional Public Prosecutor appearing for the respondent-State. Perused the record.

3. Learned counsel for the petitioner/accused No.2 would submit that the petitioner/accused No.2 is participating in 'Ten Pin Game' tournament on behalf of Indian team. He further submitted that the petitioner participated in the National Games held on 06.01.2020 to 08.01.220 in Delhi and selected for Nationals. He further stated that the petitioner is representing India team in PBA-WBT H.H Emir cup 2020 to be held in Doha, Qatar, Malaysia, Uzbekistan, Honkong and Korea and therefore, the petitioner/accused No.2 is required his passport, which was sized pursuant to the subject crime, to travel aboard to participate in the tournament and ultimately, prayed to release the petitioner's passport.

4. A perusal of the record shows that 2020 Preliminary International Events are scheduled from March, 2020 to September, 2020. It is represented that the petitioner/accused No.2 is captain of Indian team for the tournament and his presence is required for the same. Therefore, in the interest of justice, it is justified to permit him to travel aboard for the purpose of participating in the said tournament.

5. Accordingly, without going into the merits of the case, the Criminal Petition is disposed of directing the learned XII Additional Chief Metropolitan Magistrate, Hyderabad, to release the petitioner's original passport bearing No.Z3930794, on his executing a personal bond to a tune of Rs.2,00,000/- (Rupees two lakhs only) with one surety for a like sum each to his satisfaction, for the period from 1st March, 2020 to 5th October, 2020. After expiry of time granted by this Court, the petitioner/accused No.2 shall surrender his passport positively by 6th October, 2020 before the Court concerned. It is made clear that the petitioner/accused No.2 shall personally appear before the Court concerned as and when his presence is required.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

10th February, 2020

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Date:10.02.2020

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