

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2021

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl. R.C. No.1409 of 2019

P.Geethanjali

... Petitioner

Vs.

1.State represented by
Inspector of Police,
All Women Police Station,
East Police Station,
Coimbatore.
(Cr.No.16/2018)

2. The Regional Passport Officer,
Regional Passport Office,
Corporation Commercial Complex,
Opposite to Thandumariamman Koil,
Avinashi Road, Coimbatore- 641018. ... Respondents

[R2 impleaded as per order in Crl.M.P.No.2778 of 2020
in Crl.R.C.No.1409 of 2019 dated 03.03.2020]

Criminal Revision Case filed under Section 397 r/w. 401
Cr.P.C., to call for records and set aside the order dated
04.03.2019, passed by the Judicial Magistrate, Additional
Mahila Court, Coimbatore in C.M.P.No.1065 of 2018 and to
return the passport bearing no.R4415201 to the custody of the
petitioner.

For Petitioner : Mr.K.Balasubramaniam

For R1 : Mr.A.Damodharan
Counsel for Government of Tamil Nadu
(Crl.side)

For R2 : Mr.D.Simon
Central Government Standing Counsel

O R D E R

This Criminal Revision Case has been filed against the
order, dated 04.03.2019, passed by the Judicial Magistrate,
Additional Mahila Court, Coimbatore, in Crl.M.P.No.1065 of
2018, dismissing the petition filed by the petitioner for

interim custody of 52 properties, including the passport of the petitioner bearing No.R4415201, seized by the 1st respondent police, in relation to Crime No.16 of 2018.

2.The learned counsel for the petitioner would submit that the properties seized by the respondent police were not produced before the trial Court, and therefore, the petitioner filed a petition seeking interim custody of the seized properties. Though the petition for interim custody filed before the trial Court is for a larger relief, the arguments of the learned counsel appearing for the petitioner before this Court were focused only on the interim custody of the passport of the petitioner bearing No.R4415201. The learned counsel would submit that the respondent police have no right to send the passport to the Passport Office at Coimbatore, and hence, the learned counsel prayed for the relief of interim custody of the passport to the petitioner.

3.The learned Central Government Standing Counsel appearing for the 2nd respondent, viz., Passport Authority, would submit that the 1st respondent police have sent the Passport to the Passport Office without any application for impounding and the alleged offences are also not of very serious nature, and the learned Standing Counsel fairly submitted that they have no objection for release of the passport to the petitioner.

4.Heard the learned counsel on the either side and perused the materials available on record.

5.Having regard to the submission made by the learned Standing Counsel that the respondent police have sent the passport without any proper application for impounding and also considering the facts and circumstances of the case, the 2nd respondent, viz., Passport Authority is directed to return the passport bearing No.R4415201 to the petitioner. However, it is made clear that the petitioner shall not travel abroad without the permission of this Court during the pendency of the criminal case against him.

6.With the above directions, this Criminal Revision Case is allowed to the extent as above.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mkn/ssr

To

1.The Judicial Magistrate,
Additional Mahila Court,
Coimbatore.

2.The Inspector of Police,
All Women Police Station,
East Police Station,
Coimbatore.

3.The Regional Passport Officer,
Regional Passport Office,
Corporation Commercial Complex,
Opposite to Thandumariamman Koil,
Avinashi Road,
Coimbatore - 641 018.

4.The Public Prosecutor,
High Court, Madras.

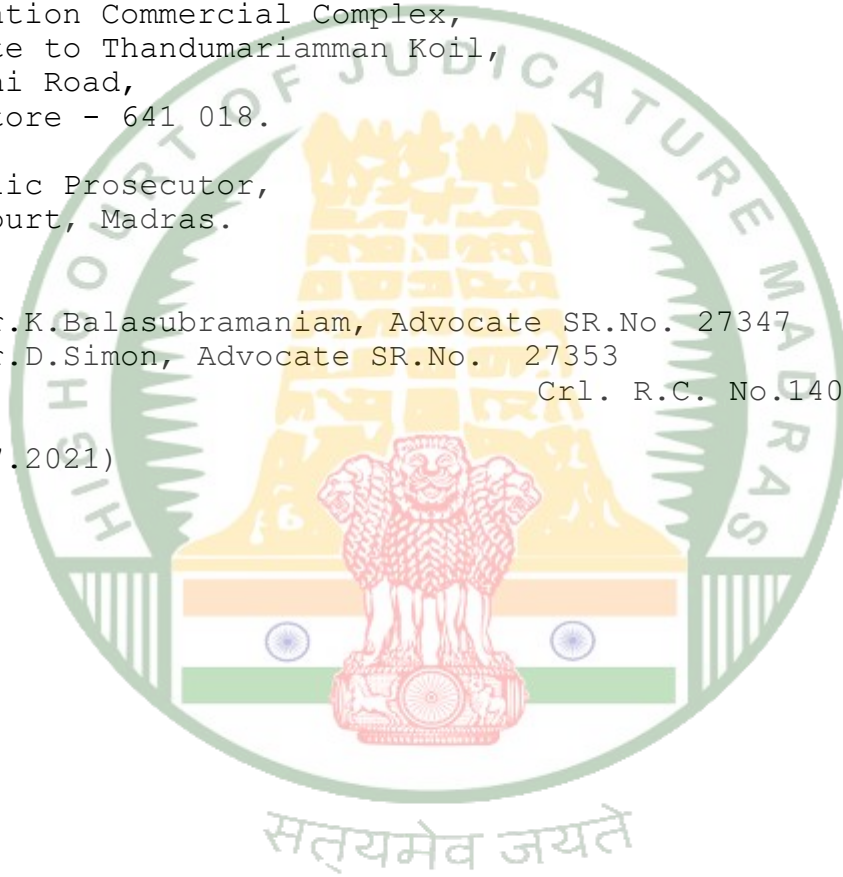
+1cc to Mr.K.Balasubramaniam, Advocate SR.No. 27347

+1cc to Dr.D.Simon, Advocate SR.No. 27353

CrI. R.C. No.1409 of 2019

AK II(CO)

A.SK(09.07.2021)



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