

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 1575 OF 2021

Between:

Kanakanala Narayana, S/o. Kanakanala Subba Naidu, Aged 71 years, Occ.Politiian,
R/o. 801, III.H, Lanco Hills, Manikonda, Rangareddy District.

...Petitioner/Accused No.1

AND

The State of Telangana, represented by its Public Prosecutor, High Court
Building Premises, High Court, Hyderabad.

...Respondent/Respondent

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the Order, dated. 09/02/2021 passed in CrI.MP.No. 419 of 2021 in CC.No. 133 of 2020 on the file of the Special Sessions Judge for Trial of Criminal Cases Relating to Elected MPs and MLAs of the State of Telangana at Hyderabad and consequently direct the Special Sessions Judge for Trial of Criminal Cases Relating to Elected MPs and MLAs of the State of Telangana at Hyderabad to accord permission to the petitioner for renewal of his passport bearing No. J3425580 pending disposal of CC.No. 133 of 2020.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s M. Rajender Reddy, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

Criminal Petition No.1575 of 2021

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/A1 seeking to quash the order dated 09.02.2021 passed in CrI.M.P.No.419 of 2021 in C.C.No.133 of 2020 by the Special Sessions Judge for Trial of Criminal Cases Relating to Elected MPs and MLAs of the State of Telangana at Hyderabad, whereby, the application filed by the petitioner/A1 praying to accord him permission for renewal of his passport bearing No.J 3425580, was dismissed.

2. Heard the learned counsel for the petitioner/A1, the learned Assistant Public Prosecutor representing the respondent/State and perused the record.

3. Learned counsel for the petitioner/A1 would submit that a letter dated 06.11.2020 addressed by the Passport Office to the petitioner/A1 is filed before this Court through a Memo dated 01.10.2021. In the said letter, it is stated that the Passport Office can reconsider the passport application of the petitioner/A.1, if he obtains permission to travel abroad from the Court, where the Criminal Case is still pending.

4. As seen from the material on record, C.C.No.133 of 2020 on the file of the Special Sessions Judge for Trial of Criminal Cases Relating to Elected MPs and MLAs of the State of Telangana at Hyderabad, is pending against the petitioner/A1 and others. In view of the nature of allegations made against the petitioner/A1 and the material available on record, the petitioner/A1 cannot be deprived of

renewal of his passport merely because criminal proceedings are pending against him in the subject C.C.No.133 of 2020.

5. Under these circumstances, the petitioner/A1 is permitted to file an application before the Special Sessions Judge for Trial of Criminal Cases relating to Elected MPs and MLAs of the State of Telangana at Hyderabad, where the subject C.C.No.133 of 2020, is pending, seeking permission to travel abroad. Thereupon, the Court below shall pass necessary orders directing the passport authorities to renew the passport bearing No.J3425580 of the petitioner/A.1, in accordance with law. The impugned order dated 09.02.2021 passed in Cri.M.P.No.419 of 2021 in C.C.No.133 of 2020 by the Court below, is modified as indicated above.

6. With the above observations and direction, this Criminal Petition is allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

SD/- NAYANI CHANDRASEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for Trial of Criminal Cases Relating to Elected MPs and MLAs of the State of Telangana at Hyderabad.
2. The Station House Officer, Saidabad Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to M/s M. Rajender Reddy, Advocate [OPUC]
5. Two CD Copies
MMK

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HIGH COURT

DRSAJ

DATED:09/11/2021

ORDER

CRLP.No.1575 of 2021



ALLOWING THE CRIMINAL PETITION

[Handwritten signature]
07/12/2021