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Crl.M.P.No.13758 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P. No.13758 of 2022
in Crl.O.P.No.24299 of 2014

N.Sowri

... Petitioner

Vs.

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
No.25, Gopalakrishna (Iyer) Road,
T.Nagar, Chennai-6200 017.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., seeking to direct the learned Additional Chief Metropolitan Magistrate (E.O-1), Egmore, Chennai to return the petitioner's passport No.Z2392597 which is expiring on 10.09.2022 for the purpose of renewing.

For Petitioner : Mr.V.S.Venkatesh

For Respondent : Mr.P.Kumar,
Special Public Prosecutor for DRI

ORDER

This Miscellaneous Petition is filed seeking to direct the learned Additional Chief Metropolitan Magistrate (E.O-1), Egmore, Chennai to return the petitioner's passport No.Z2392597 which is expiring on 10.09.2022 for the purpose of



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WEB COPY 2. The petitioner is an accused in F.No.DRI/CZU/VIII/48/ENQ-01/INT-24/2014 on the file of the respondent. It is alleged that the respondent officials have seized 5 Kgs of gold bars of foreign origin valued at Rs.1,42,72,000/- from the packing materials namely the wooden pallets used for the import of TV sets consignment covered under the Bill of Entry No.5901603 dated 24.06.2014 by M/s.JMS Exports. The 200 TV sets, which were declared by the importer were valued at Rs.1,25,85,000/- by the respondent. Therefore, the respondent took custody of one Arul James, who is the proprietor of the aforesaid import. Based upon the statement recorded from him, the petitioner has been implicated as a person, who has imported the consignment. Therefore, the petitioner filed a petition for anticipatory bail in Crl.O.P.No.24299 of 2014 before this Court and this Court by the order dated 23.09.2014 granted anticipatory bail to the petitioner on condition that the petitioner shall deposit his passport before the concerned Court at the time of executing the bail bond. Accordingly, the petitioner surrendered his passport before the concerned Court.

3. The learned counsel for the petitioner would submit that the petitioner filed a petition before this Court for return of passport citing that the proposed visit to Singapore for religious purpose. This Court by the order dated 28.04.2017 in



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Crl.M.P.No.13991 of 2016 in Crl.O.P.No.24299 of 2014, allowed the same and

directed the petitioner to furnish title security to the value of Rs.15,00,000/-.

Aggrieved by the same, the petitioner filed a modification petition before this Court and the same was duly modified the order by directing the petitioner to furnish Fixed Deposit Receipt in his name worth of Rs.5,00,000/- and further his wife shall stand surety.

4. The learned counsel would further submit that the petitioner also filed another petition in Crl.M.P.No.3750 of 2022 in Crl.O.P.No.24299 of 2014 seeking direction to the learned Additional Chief Metropolitan Magistrate (E.O-1), Egmore, Chennai to return the petitioner's passport. However, the Court below dismissed the petition with a liberty to the petitioner to revive his request by furnishing the details abroad travel programme in advance. Therefore, the petitioner by way of this modification petition seeks direction to the learned Additional Chief Metropolitan magistrate (E.O-1), Egmore, Chennai to return the passport No.Z2392597, which is expiring on 10.09.2022 for the purpose of renewal within a period of four weeks.

5. In view of the limited relief sought for by the petitioner, this Court is



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inclined to direct the learned Additional Chief Metropolitan Magistrate (E.O-1), Egmore, Chennai to return the petitioner's passport No.Z2392597 for the purpose of renewing. It is made clear that the petitioner shall do the said exercise within a period of four weeks from the date of the returning of the passport. Thereafter, the petitioner shall surrender the passport.

6. With the above said direction, this Criminal Miscellaneous Petition is ordered as prayed for.

02.09.2022

Index : Yes/No

Internet : Yes

Speaking/non speaking order

Anu

To

1. The Additional Chief Metropolitan Magistrate (E.O-1),
Egmore, Chennai.
2. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
No.25, Gopalakrishna (Iyer) Road,
T.Nagar, Chennai-6200 017.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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