



Crl.M.P.Nos.15461 and 15464 of 2022

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in

Crl.O.P.Nos.2346 and 880 of 2022

M. NIRMAL KUMAR, J.

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These Criminal Miscellaneous Petitions have been filed seeking a direction to the learned XI Additional Special Judge for CBI Cases, City Civil Court, Chennai to return the original title deed documents deposited by the petitioner as per the order of this Court dated 18.02.2022.

2. The petitioner had earlier filed Crl.O.P.Nos.880 and 2346 of 2022 seeking permission to allow the petitioner to travel abroad to U.S.A. to stay with his daughter, who was due for delivery from the month of May, 2022 to August, 2022. This Court after considering the rival submissions and also the objections raised by the respondents, by order dated 18.02.2022, granted permission to the petitioner to travel abroad to U.S.A. to stay with his daughter during the said period on the following conditions:

(a) The petitioner is directed to deposit the original title deeds of Document Nos.3635 & 3636 of 2015 dated 29.05.2015 relating to the property at No.509, Horizon Residences, 16/1, Arunachalam Road, Saligramam, Chennai – 600 093 and Document No.23612 dated 01.12.2004 registered at S.R.O., K.R.Puram, Bangalore (Urban) relating to the property at No.303, Celestial Greens, Gopalan Constructions, Old Madras Road,



Bangalore to the credit of Crime No.RC 09(E)/2018.

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(b) The petitioner shall execute a bond in duplicate for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned XI Additional City Civil and Session Judge & Special Judge for CBI Cases, Chennai. Duplicate bond shall be kept in Special C.C.No.2 of 2021 pending on the file of IX Additional Special Court for CBI Cases, Chennai.

(c) The petitioner shall furnish the address of his daughters in USA and his contact details at USA viz., telephone/mobile numbers, e-mail address etc. to the respondents.

Further the petitioner was directed to return to India on or before 31.08.2022. The petitioner has now returned to India on 19.08.2022 and seeks return of title deeds, which were deposited as a pre-condition for his travel abroad to U.S.A. Now the travel is completed, he is back in India and he is also participating in the trial.

3. Learned Special Public Prosecutor appearing for the first respondent/C.B.I. in Crl.O.P.No.880 of 2022 submitted that though the petitioner had failed to array C.B.I. as party in Crl.O.P.No.2346 of 2022, C.B.I. was arrayed as first respondent in Crl.O.P.No.880 of 2022. On instructions, he submitted that as per the direction of this Court, the petitioner had deposited three title deeds as a pre-condition for his travel to U.S.A. to meet his daughter. Now the petitioner



returned from U.S.A. Further he had filed an affidavit before the trial Court, informing the trial Court about his return to India. It would be relevant to extract the following paragraph:

“2. I submit that the printout of the electronic record, being (i) Email dated 21.09.2022 from the Airlines along with the attachment being (ii) the letter with Ref.DXB/M/KV/120922/16398128 dated 21.09.2022 confirming the details of my travel on 17th August, 2022 from San Francisco to Dubai and on 18th August, 2022 from Dubai to Chennai, thereby arriving at Chennai on 19th August, 2022, are filed before this Hon'ble Court as supporting documents by me. The documents are taken from my laptop used by me during the relevant period and I continue to have the possession of the laptop to receive and store the electronic mails exchanged regularly.”

He further submitted that now the petitioner has returned to India and no more condition is suffixed, required.

4. Mr.N.Ramesh, learned Special Public Prosecutor appearing for the first respondent/Directorate of Enforcement in CrI.O.P.No.2346 of 2022 submitted that the petitioner on the direction of this Court had left U.S.A. and returned to India.

5. Considering the submissions and on a perusal of materials, it is not in dispute that the petitioner had executed three documents as security for travel

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abroad to U.S.A. Now he returned to India on 19.08.2022 and the same was also reported before the trial Court. In view of same, the condition imposed for his travel abroad to U.S.A. no more exist. In view of the same, the trial Court is directed to return the original documents viz., original Title Deeds of Document Nos.3635 & 3636 of 2015 dated 29.05.2015 pertaining to the property at No.509, Horizon Residences, 16/1, Arunachalam Road, Saligramam, Chennai – 600 093 and Document No.23612 dated 01.12.2004 pertaining to the property at No.303, Celestial Greens, Gopalan Constructions, Old Madras Road, Bangalore to the petitioner.

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

11.10.2022

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