



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twentieth day of September Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL MP(MD) No.11106 of 2022

IN

CRL OP(MD) No.8765 of 2022

RAHAMATHULLAH

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION,
MADURAI CITY.
(IN CRIME NO.223 OF 2022)

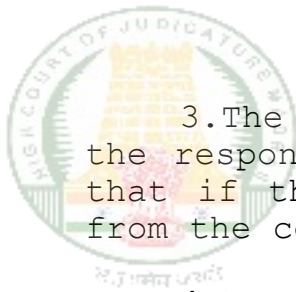
... RESPONDENT / COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition as to Surrender the petitioner passport which is been already surrendered on 28.06.2017 before the consent passport authority by this Honble Court in Crl OP (MD) No.8765 of 2022 in Paragraph No.13(f) dated 06.05.2022 .

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.JINNAH.S.M.A, Advocate for the petitioner and of MR.M.VEERENTHIRAN, Government Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the condition as to surrender the petitioner's passport, which has been already surrendered on 28.06.2017 before the concerned passport authority by this Court in Crl.O.P.(MD)No.8765 of 2022, in Paragraph No.13(f), dated 06.05.2022.

2.The learned counsel for the petitioner would submit that since the petitioner has been surrendered his passport before the Regional Passport Officer, Tiruchirapalli on 28.06.2017, he is not in a position to comply with the above said condition within the time stipulated by this Court and hence, he prayed for modification of the said condition.



3.The learned Government Advocate (Criminal Side) appeared for the respondent police strongly opposed this petition on the ground that if the passport is returned to the petitioner, he fled away from the country and the investigation cannot be proceeded further.

4.Considering the above, this petition is allowed. The condition imposed in Paragraph No.13(f) in Crl.O.P(MD)No.8765 of 2022, dated 06.05.2022 is modified to the effect that the petitioner shall not leave Madurai City Limits until further orders. The concerned Magistrate shall accept the surety without surrendering the petitioner's original passport. If the petitioner obtains passport, the same may be informed to the respondent police. All other conditions in the said order shall remain unaltered.

sd/-

20/09/2022

/ TRUE COPY /

21/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.11106 of 2022

IN

CRL OP(MD) No.8765 of 2022

Date :20/09/2022

MK/SBN/SAR.III/21.09.2022/2P/5C