



Crl.R.C.(MD).No.956 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.956 of 2022

K.Ananthakumar

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.169 of 2022)

.. Respondents

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to set aside the order, dated 06.09.2022, made in Crl.M.P.No.4001 of 2022 on the file of the learned Special Court under the Mines and Minerals (D&R) Act, 1957, Court of Principal Sessions Judge, Thanjavur.

For Petitioner : Mr.B.Jameel Arasu

For Respondent : Mr.S.S.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed to set aside the order, dated 06.09.2022, made in Crl.M.P.No.4001 of 2022 on the file of the learned Special Court under the Mines and Minerals (D&R) Act, 1957,



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Court of Principal Sessions Judge, Thanjavur.

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2.The petitioner is involved in Crime No.169 of 2022 which was registered for the offences punishable under Sections 294(b), 427, 324, 307 IPC. Now it is pending investigation. Final report has not been filed so far. During the bail process, he voluntarily surrendered the passport before the concerned Court. Now seeking return of the above said passport the petitioner has filed an application and the same was dismissed by the trial Court. Apart from that the case has not been reached the finality. The learned counsel for the petitioner submitted that even before the date of occurrence, he was working in abroad and because of the case, he is not in a position to continue his job in abroad.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that brother of the petitioner was murdered. Only for the purpose of retaliation, he came to India from Singapore and caused the present occurrence, over which, the above said case has been registered.



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4.No doubt the petitioner himself has voluntarily surrendered the passport. At the same time, he cannot be prevented from going to abroad. During the pendency of the case, if the petitioner wants to go abroad, he must get proper permission from the concerned Court. For that purpose the passport may be returned to the petitioner by replacing the same with certified copy. It is made clear that if the petitioner wants to go abroad, he must get proper permission from the concerned Court.

5.With the above direction, the order that has been passed by the trial Court in Crl.M.P.No.4001 of 2022, dated 06.09.2022, is hereby set aside and this Criminal Revision Petition is allowed.

29.09.2022

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Principal Sessions Judge, Special Court under the Mines and Minerals (Development and Regulations) Act, 1957, Thanjavur.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA,N,J.

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