



WEB COPY



Crl.R.C.(MD).No.1222 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.1222 of 2022

K.Anandakumar

... Petitioner

Vs.

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

... Respondent

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records and set aside the order dated 25.11.2022 passed by the learned Judicial Magistrate, Pattukottai, made in Crl.M.P.No.4124 of 2022 and allow the above revision.

For Petitioner : Mr.S.Jameel Arasu

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed against the order passed by the learned Judicial Magistrate, Pattukottai, in Crl.M.P.No.4124 of 2022, dated 25.11.2022.



Crl.R.C.(MD).No.1222 of 2022

2.This revision petition has been filed on the ground that in spite of the specific direction issued by this Court to return the passport that was submitted by the revision petitioner before the concerned Court, during the pendency of the investigation, that was not properly complied. Instead of that the above said petition was dismissed.

3.The learned Government Advocate (Crl. Side) make objection for return of passport to the petitioner during the pendency of the investigation. He would further stated that the final report has been filed and the same was taken cognizance in P.R.C.No.34 of 2022, by the learned Judicial Magistrate, Pattukottai. If the passport is handed over to the petitioner at this stage, there will be every likelihood of absconding. On that ground the above said order has been passed by the trial Court. The petitioner cannot be denied with the return of passport. It is not legally valid one. Pendency of the criminal case is not a bar for permitting the petitioner to visit abroad.

4.If any proper petition is filed seeking permission to visit abroad, pending criminal case, the same shall be considered by the trial Court on merits. The passport shall be returned to the petitioner by replacing the same with certified copy. With regard to the permission to go abroad, the



Crl.R.C.(MD).No.1222 of 2022

petitioner must workout his remedy before the concerned Court through appropriate proceedings.

5.With the above directions and liberty, this criminal revision case is allowed to that extent.

08.12.2022

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate, Pattukottai.
- 2.The Inspector of Police, Madukkur Police Station, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.R.C.(MD).No.1222 of 2022

G.ILANGOVA,N,J.

TM

Crl.R.C.(MD).No.1222 of 2022

08.12.2022