

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11905 OF 2022

Between:

Smt. Kalli Rajamani, W/o Kalli Narsing Rao Aged about 55 years, Occ Housewife,
R/o H. No. 1-6-226/7/1, Mohan Nagar, Near Martinet School, Musheerabd,
Hyderabad....Petitioner/Accused No. 2

...PETITIONER/ACCUSED No.2

AND

State of Telangana, Rep by Public Prosecutor .Through S.H.O.,
P.S.Musheerabad Hyderabad District

...RESPONDENT/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the Hon'ble 1 st ADDL. Metropolitan Session Judge Hyderabad to return the passport of the petitioner.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. SIDDARTH REDDY, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent No.1.

The Court made the following:

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11905 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking direction to the I Additional Metropolitan Sessions Judge, Hyderabad, to return the passport of the petitioner – Accused No.2.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State – respondent. Perused the record.

3. On the basis of the complaint lodged by the 2nd respondent – *de facto* complainant, FIR No.318 of 2010 was registered against the Accused and after completion of investigation, charge sheet was filed before the XVII Additional Chief Metropolitan Magistrate, Hyderabad, vide P.R.C.No.12 of 2012 and the same was transferred to the I Additional Metropolitan Sessions Judge, Hyderabad vide S.C.No.163 of

2018. After completion of trial, the Sessions Judge had acquitted all the accused on 10.11.2022.

4. During the course of investigation, the passport of petitioner-Accused No.2 was seized by the Police. As the petitioner was acquitted of all the charges, she filed a petition under Section 452 of Cr.P.C. seeking return of her passport, but the said petition was returned by the I Additional Metropolitan Sessions Judge, Hyderabad, stating that the appeal period has not been completed.

5. Since the petitioner – Accused No.2 was already acquitted of all the charges alleged against her by the I Additional Metropolitan Sessions Judge, Hyderabad, there is no necessity to keep the passport in the possession of the Court.

6. Accordingly, the Criminal Petition is allowed, directing the I Additional Metropolitan Sessions Judge, Hyderabad, to return the passport of petitioner – Accused No.2.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-I.NAGA LAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The I Additional Metropolitan Sessions Judge, Hyderabad
2. The XVII Addl. Chief Metropolitan Magistrate, Nampally, Hyderabad.
3. The Station House Officer, Chikkadpally Division, Musheerabad Police Station, Hyderabad.
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
5. One CC to Sri K. SIDDARTH REDDY, Advocate [OPUC]
6. Two CD Copies

DL.
plp

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HIGH COURT

DATED:30/12/2022

ORDER

CRLP.No.11905 of 2022



CRIMINAL PETITION IS ALLOWED.

⑨
PM
20/1/23