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Crl.M.P.No.2198 of 2023

Crl.M.P.No.2198 of 2023
in Crl.O.P.No.4373 of 2015

T.V.THAMILSELVI,J.

This petition has been filed to modify the condition imposed on the petitioner with regard to return of passport in Crl.O.P.No.4373 of 2015 dated 02.03.2015 and permit the petitioner to take back the passport which is now in custody of the Special Court No.II for trial of criminal cases against MPs and MLAs, Chennai in C.C.No.10 of 2019 for renewal of passport which had expired on 29.11.2022.

2. The learned counsel for the petitioner submitted that the passport of the petitioner expired on 29.11.2022 and the same has to be renewed. Hence, this Court may permit the petitioner to take back the passport for renewal, which is now under the custody of the Special Court No.II for trial of criminal caes against MPs and MLAs, Chennai in C.C.No.10 of 2019.

3.Mr.N.Baaskaran, learned Special Public Prosecutor for CBI cases for the respondent vehemently opposed stating that if the passport of the petitioner is handed over to him for renewal, he may abscond and he may not return to India and will hamper the trial.

4.Considering the submission made by the learned counsel appearing for the petitioner, the condition imposed as against the



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petitioner is modified to the effect that the petitioner shall file an appropriate application for return of property. Further, the petitioner is directed to surrender his passport within a period of six weeks from the date of renewal of his passport. The other conditions shall remain intact.

5.With the above directions, this Criminal Miscellaneous Petition is ordered.

16.02.2023

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