



WEB COPY



Crl.RC.No.834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.RC. No.834 of 2023

Ramalingam

... Petitioner

Versus

State rep by
Station House Officer
All Women Police Station
Virudhachalam
(Crime No.20/2007)

... Respondent

PRAYER: Criminal Revision Case filed under Section 397 read with 401 of Criminal Procedure Code, to set aside the return order dated 24.03.2023 made in Crl.M.P.SR.No.598/2023 on the file of Session Judge Mahila Court, Cuddalore and return the passport to the petitioner.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor



Crl.RC.No.834 of 2023

ORDER

This Criminal Revision Case has been filed to set aside the return order dated 24.03.2023 made in Crl.M.P.SR.No.598/2023 on the file of learned Session Judge Mahila Court, Cuddalore and return the passport to the petitioner.

2. This Court, while granting bail to the petitioner, by Order dated 09.12.2022 in Crl.O.P.No.30452 of 2022 had imposed the following condition that “...(d) *the petitioner shall also surrender his passport before the Trial Court*”. Thereafter, the petitioner was tried in S.C.No.54 of 2016 and the Trial Court acquitted the petitioner vide Judgment dated 21.02.2023.

3. Subsequently, the petitioner had filed a petition for return of the passport surrendered by him. The learned Judge, vide the impugned order, returned the said petition stating that the petition is not maintainable. This Court is of the view that on acquittal of the petitioner, the petitioner is entitled to return of the passport. Hence, this Court is inclined to remit the matter back to the Trial Court with a direction to consider the application for the return of passport in terms of the above Order.



Crl.RC.No.834 of 2023

4. Accordingly, this Criminal Revision Case stands allowed. No costs.

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To

1. The Sessions Judge
Mahila Court, Cuddalore.

2. The Station House Officer
All Women Police Station
Virudhachalam

3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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CrI.RC.No.834 of 2023

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