



WEB COPY



CRL.M.P.No.18109 of 2022
in
CrI.O.P.No.3554 of 2020

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 22.12.2019 for the alleged offence under Sections 135 of customs Act 1962 in R.R.No.20 of 2019 in F.No.DRI/CRU/VIII/48/ENQ/1/TNT-12/2019-CBE in Crime No.178 of 2022 on the file of the respondent police, seeks bail and seeks to direct the respondent to return the passport bearing No.P5551235 and consequently permit the petitioner to go abroad for employment purpose in CrI.O.P.No.3554 of 2020 dated 20.02.2020.

2.Heard both sides.

3. It is seen that the petitioner's passport was deposited before the Chief Judicial Magistrate at Coimbatore and hence, he is unable to travel for the purpose of his employment. Hence, the present petition. The learned Government Advocate (crl. Side) would submit that investigation in this case is over and notice had been issued to the petitioner. The case was adjudicated and an order confiscating the smuggled gold was passed. No appeal was filed by



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the petitioner against the order. A penalty of Rs.65 lakhs imposed on the

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vsn

petitioner was also not paid by him. He further submit the if the petitioner is a law abiding citizen as he claims to be and willing to abide by any condition imposed by the authorities, he would have taken efforts to pay the penalty imposed on him for the offence committed by him and would not make efforts to leave the country before trial is completed. Hence he submits that if the passport is released, he will leave the country and it would be difficult to secure him.

4.Finding force in the submission of the learned Government Advocate (CrI. Side), this petition is dismissed.

11.01.2023

vsn

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