



Crl.MP.No.10821 of 2024 in Crl.A.No.955 of 2023

Crl.MP.No.10821 of 2024
in Crl.A.No.955 of 2023

M.S.RAMESH, J.
and
SUNDER MOHAN, J.

(Order the Court was made by M.S.RAMESH, J.)

1. This Crl.MP is filed to modify the Condition No.15(iv) imposed in the order of this Court, dated 25.07.2024 in Crl.A.No.955 of 2023, namely, the Appellant shall surrender his passport (if any) before the Trial Court and if he does not hold a passport, he shall file an affidavit to that effect in the form that may be prescribed by the Trial Court. In the latter case, the Trial Court will, if he has reason to doubt the accuracy of the statement, write to the Passport Officer concerned to verify the statement and the Passport Officer shall verify his record and send a reply within three weeks. If he fails to reply within the said period, the Trial Court will be entitled to act on the statement of the Appellant.
2. This Court heard the learned counsel for the Petitioner and the learned Special Public Prosecutor for the Respondent.
3. According to the Petitioner, the Petitioner has misplaced his original passport, bearing No.L9578077, issued by the Regional Passport Officer, Tiruchirappalli and when he had offered to file an affidavit as provided under Condition No.15(iv) of the final orders, dated 25.07.2024, the Trial Court had returned his petition, with an endorsement that the Petitioner's offer to file an affidavit is not in conformity with the directions of this Court.
4. The learned counsel for the Petitioner would submit that the Petitioner herein



CrI.MP.No.10821 of 2024 in CrI.A.No.955 of 2023

had genuinely misplaced his passport and he has no intention of using the passport for any purpose, including travel and even the Petitioner makes an offer to impound his passport.

5. The apprehension of the learned Special Public Prosecutor is that in case the passport of the Petitioner is retrieved or found at a later stage, the Petitioner may utilise the same for the purpose of leaving the country.

6. In the light of the submissions made by the learned counsel for the Petitioner and the learned Special Public Prosecutor for the Respondent, we are of the view that if the Petitioner's passport is impounded, the interest of NIA will also be protected. Accordingly, this CrI.MP is ordered, recalling the Condition No.15(iv) of the order dated 25.07.2024 in CrI.A.No.955 of 2023 and modifying the same, as follows:-

a) 15(iv). The passport of the Petitioner, bearing No.L9578077 issued by the Regional Passport Officer, Tiruchirappalli, to the Petitioner, namely, Rahman Sadiq, shall stand impounded.

7. The Trial Court shall release the Petitioner on production of a online/web copy of this order.

(M.S.R.J.) & (S.M.J.)
23.08.2024

Srcm



Crl.MP.No.10821 of 2024 in Crl.A.No.955 of 2023

Note to Registry:-

WEB COPY

The Registry shall communicate a copy of this order to the Regional Passport Officer, Tiruchirappalli and the Chief Immigration Officer, Shastri Bhavan, Chennai-6, the Immigration Officer, Chennai Airport and the Immigration Officer, Tiruchirappalli Airport for their information and action.



WEB COPY



Crl.MP.No.10821 of 2024 in Crl.A.No.955 of 2023

M.S.RAMESH, J.
and
SUNDER MOHAN, J.

Srcm

Crl.MP.No.10821 of 2024
in Crl.A.No.955 of 2023

23.08.2024