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Crl.M.P. No.15721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P. No.15721 of 2024

in

Crl.O.P. No.21638 of 2024

T. Prabhu

... Petitioner

Vs.

The Inspector of Police,
Economic Offence Wing,
Special Investigation Team,
Ashok Nagar, Chennai-600 083.
(Crime No.234 of 2023)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS Act, to permit the petitioner herein to travel to Malaysia on 16.11.2024 and return back to India on 15.12.2024 in Crl.O.P.No.21638 of 2024 dated 12.09.2024.

For Petitioner : Mr.M. Vinodhini Mathelene

For Respondent : Mr.S. Santhosh
Government Advocate (Crl.Side)



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property situated at Thiruvanmiyur Village, Mylapore-Triplicane Taluk, Now Velacherry Taluk, Chennai District comprised in S.No.153 Part, Row Type House No.138/2, 15th Cross Street, Besant Nagar, Chennai 600 090 and measuring 1173 sq.ft. of land with a building in the ground and first floor, which stands in the name of the petitioner and his wife, in the Court of learned Magistrate concerned, whose market value is Rs.1,30,00,000/- and thereby, he prayed for allowing this petition.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police vehemently opposed for grant of permission, contending that serious allegation of collusion for making a motor accident claim is pending against the petitioner.

4. Taking into consideration the facts and circumstances of the case, the submissions made by learned counsels on either side and considering the fact that the petitioner intend to proceed to Malaysia on 16.11.2024, only on account of his son's education and also considering that the petitioner is ready and willing to deposit the original title deed dated 16.06.2016 registered vide Document No.6353/2016 in the Sub Registration



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District of Joint I Sub Registrar, Saidapet, Chennai 600 015, this Court is

inclined to permit the petitioner to travel to Malaysia on 16.11.2024 and

return to India on or before 15.12.2024 on the following condition:

[a] the petitioner shall deposit the original title deed dated 16.06.2016 registered vide Document No.6353/2016 in the Sub Registration District of Joint I Sub Registrar, Saidapet, Chennai 600 015 in respect of his property situated at Thiruvanmiyur Village, Mylapore-Triplicane Taluk, Now Velacherry Taluk, Chennai District comprised in S.No.153 Part, Row Type House No.138/2, 15th Cross Street, Besant Nagar, Chennai 600 090 and measuring 1173 sq.ft. of land with a building in the ground and first floor before the learned Chief Metropolitan Magistrate Court, Egmore, Chennai, where the case now stands transferred.

[b] the petitioner is entitled to obtain back his property document by making an appropriate petition before the Magistrate concerned, on his return to India.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

12.11.2024

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Note: Issue Today (14.11.2024)



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To
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1. The Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Economic Offence Wing,
Special Investigation Team,
Ashok Nagar, Chennai-600 083.



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A.D.JAGADISH CHANDIRA.,J.

stn

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in Crl.O.P. No.21638 of 2024**

12.11.2024