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Crl.M.P.No.51 of 2024

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IN
Crl.O.P.No.10351 of 2018

C.V.KARTHIKEYAN, J.

This Petition has been filed seeking return of the petitioner's passport which had been deposited before the Special Court for the cases under Prevention of Corruption Act, Chennai, as a condition for grant of bail.

2. The petitioner wants his passport since he going over to Australia where his wife and children are residing. The investigation has been completed and it is stated that sanction from the sanctioning authority alone is awaited.

3. An affidavit has been filed by the petitioner indicating that he would come back whenever the Court issues summons if his presence is required.

4. Taking that factor into consideration, the learned Special Judge / Special Court for the cases under Prevention of Corruption Act, Chennai, may return the passport of the petitioner herein by getting a



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further undertaking that he would come back to this country on receipt of summons from the Court.

5. It is also made clear that it will only be to the advantage of the petitioner that he appears before the Court and participates in the trial proceedings. If he does not appear, then naturally, the Court would be forced to issue Non Bailable Warrant and also a Look Out notice to prevent him escaping from the clutches of law. It is hoped that the petitioner would avoid all these circumstances.

6. The petitioner may give his E-mail Id and phone number and also the permanent address of Australia. In the interregnum period, summons may be issued by the Court if the final report is filed and is taken cognizance. On those conditions, the passport of the petitioner may be returned to the petitioner and on coming back to this country, then petitioner must surrender the passport again to the said Court.

7. With the above directions, this Criminal Miscellaneous Petition stands ordered.

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05.01.2024



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