HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:
THE HONOURABLE SRI JUSTICE K.SURENDER

IA No. 1 & 2 OF 2023
IN
CRLP NO: 1148 OF 2021

Between:

Mr. M. Gopal Reddy, S/o M. Veera Reddy;

...Petitioner
(Petitioner in CRLP 1148 OF 2021
on the file of High Court)

AND

1. Directorate of Enforcement, Rep. by its Assistant Director, Enforcement Directorate, Government of India, Office at 5-10-174, 3rd Floor, Shakar Bhavan, Basheerbagh, Hyderabad-500 004, T.S., Rep by Spl. P.P. High Court of Telangana at Hyderabad.
2. State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, Hyderabad, Telangana.
   (R2 is formal party, hence not necessary)

...Respondents
(Respondents in-do-)

IA.No.1 of 2023

Petition under Section 482 of Cr. P.C. praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to relax the Condition No.3 imposed by This Hon'ble Court pursuant to its order dt.02/03/2021 in CrlP No.1148/2021, pending disposal of CRLP No. 1148 of 2021, on the file of the High Court.

IA.No.2 of 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to release the passport of the petitioner bearing NO.J8137340 deposited before the Metropolitan Sessions Judge pursuant to the condition imposed by this Hon'ble Court in anticipatory bail petition bearing Crl.P.No.1148 of 2021, dated 02/03/2021 pending disposal of CRLP No. 1148 of 2021, on the file of the High Court.

CRLP No: 1148 OF 2021

Petition under Section 438 of Cr. P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to direct the 1st Respondent (i.e. Enforcement Directorate) to enlarge/release the petitioner on Anticipatory bail in the event of the petitioner's arrest in connection with the

investigation bearing file number ECIR/HYZO/36/2020 on the file of the Assistant Director, Enforcement, Hyderabad;

The petition coming on for hearing, upon perusing the petition and grounds filed in support thereof and the order of the High Court dated 02.03.2021 made in Crlp.No.1148 of 2021 and upon hearing the arguments of M/s NIBHANUPUDI LAKSHMI AISWARYA, Advocate for Petitioner and Sri ANIL PRASAD TIWARI, SC for Respondent No.1, the Court made the following;

ORDER

The petitioner is seeking return of Passport which was deposited before the Metropolitan Sessions Judge, Nampally pursuant to orders passed by this Court in Crl.P.No.1148 of 2021.

Learned counsel appearing for the petitioner submits that this Court in Crl.P.No.845 of 2021 quashed the proceedings of ED in ECIR/HYZO/36/2020.

Learned counsel Sri Anil Prasad Tiwari appearing for ED submits that conditions may be imposed since the Department is filing SLP against the orders of quashed proceedings.

In the said circumstances, the learned Metropolitan Sessions Judge is directed to return the Passport to the petitioner. It is needless to say, orders if any passed in the SLP which is yet to be filed, that would follow invariably.

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Nampally, Hyderabad.
2. The Assistant Director, Directorate of Enforcement, Enforcement Directorate, Government of India, Office at 5-10-174, 3rd Floor, Shakar Bhavan, Basheerbagh, Hyderabad-500 004, T.S., Rep by Spl. P.P. High Court of Telangana at Hyderabad. (By RPAD)

3. One CC to M/s. NIBHANUPUDI LAKSHMI AISWARYA, Advocate [OPUC]
4. One spare copy

NOTE : In the order in CrlP.No.1148 of 2021, dt. 04.01.2024, the IA.No.2 of 2023 is inserted as "release the passport of the petitioner bearing NO.J8137340 deposited before the Metropolitan Sessions Judge pursuant to the condition imposed by this Hon'ble Court in anticipatory bail petition bearing Crl.P.No.1148 of 2021, dated 02/03/2021".
Substitute this amended order in place of the order which was already dispatched on 04.01.2024.

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

HIGH COURT

KSJ

DATED: 04/01/2024

AMENDED ORDER

IA.No.1 of 2023

In

CRLP.No.1148 of 2021



DIRECTION