IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE SECOND DAY OF JANUARY TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 10740 OF 2023

Between:

1. Mukesh Dhoot, S/o Ram Vilas Dhoot, Aged 48 years, Occ Busniess, R/o 19-1-915/17/18, Bhagya Nagar Colony, Devi Bagh, Bahadurpura, Hyderabad
2. Rajesh Dhoot, S/o Ram Vilas Dhoot, Aged 45 years, Occ Busniess, R/o 19-1-915/17/18, Bhagya Nagar Colony, Devi Bagh, Bahadurpura, Hyderabad

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by Public prosecutor High Court Building, Hyderabad
2. The Superintendent of Central Tax, Anti-Evasion Section, Hyderabad GST Commiissionerate, Hyderabad
3. The Special Judge For Economic Offences, Nampally,Hyderabad. (NOT NECCESARY PARTY)

...RESPONDENT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to set-aside the order in Crl mp No. 1831/2023 on the file of the Special Judge for Economic Offences cum VIII Additional Metropolitan Sessions Judge , Nampally, Hyderabad and consequently direct the court to release the passport of the petitioners bearing No. J7872553 and J2810638 in Proceedings No.HQAE/V/118-HYD-CT(AE).

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the passport of the petitioners bearing no. J7872553 and J2810638 in Proceedings no. HQAE/V/118- HYD-CT(AE) on the file of the Special Judge for Economic Offences cum VIII Additional Metropolitan Sessions Judge, Nampally , Hyderabad pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri J.C. FRANCIS, Advocate for the Petitioners and the Public Prosecutor for the Respondent No.1 and of Sri. Dominic Fernandas, Advocate for the Respondent No.2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.10740 of 2023

ORDER:

In this Criminal Petition, the petitioners have challenged the order passed by the Special Judge for Economic Offences, Hyderabad, in Crl.M.P.No.1831 of 2023 in HQAE/V/118-HYD-CT(AE), dated 18.10.2023.

2. It is the case of the petitioners at the time of admission that they are seeking release of the passports for renewal of the same since the period of validity of the passports has expired.

3. Learned Standing Counsel appearing for the respondents, however, pointed out that the purpose for which the petition was filed before the trial Court is different from the purpose being mentioned in the present Criminal Petition. At this stage, learned counsel for the petitioners sought permission to withdraw the Criminal Petition with liberty to file an appropriate application before the trial Court.

4. Permission as prayed for is accorded.

5. The Criminal Petition is dismissed as withdrawn granting liberty to the petitioners to file another application before the trial Court for release of the passports and on filing of such an application, the trial Court shall

consider the same in accordance with law and on the merits of the application only, without being influenced by its earlier order dated, 18.10.2023, n Crl.M.P.No.1831 of 2023 in HQAE/V/118-HYD-CT(AE).

6. Miscellaneous applications, if any pending, shall also stand closed.

Sd/- MODH.SANAULLAH ANSARI
ASSISTANT REGISTRAR

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SECTION OFFICER

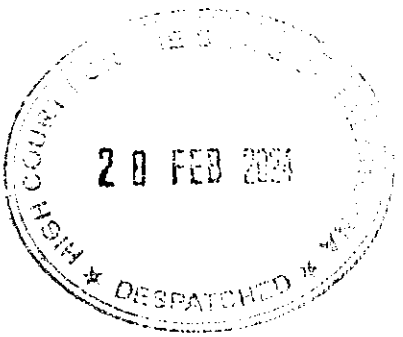
To,

1. The Spec al Judge for Economic Offences cum VIII Additional Metropolitan Sessions Judge, Nampally, Hyderabad
2. The CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
3. One CC to SRI. J.C. FRANCIS, Advocate [OPUC]
4. One CC to SRI. Dominic Fernandas, Advocate [OPUC]
5. **Two CD Copies**

USR

HIGH COURT

DATED:02/01/2024



ORDER

CRLP.No.10740 of 2023

DISMISSING THE CRL.P. AS WITHDRAWN

(8) VLV
17/2/24