



Crl. O.P. No. 5926 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 5926 of 2025

Mohsin Juzar

... Petitioner

Vs.

The State Rep.by
The Inspector of Police,
City / Central Crime Branch,
Coimbatore.
(Crime No. 19 of 2023)

... Respondent

Criminal Original Petition is filed under Section 528 of B.N.S.S., to set aside the order dated 30.12.2024 passed by the Judicial Magistrate No.V, Coimbatore, Judicial Magistrate No.VII(FAC), Coimbatore in C.M.P. No. 36066 of 2024 in Crime No. 19 of 2023 and thus render justice.

For Petitioner : Mr. G. Mohana Krishnan
For Respondent : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed challenging the order dated 30.12.2025 passed by the Judicial Magistrate No.V, Coimbatore, Judicial Magistrate No.VII(FAC), Coimbatore in C.M.P. No. 36066 of 2024 in



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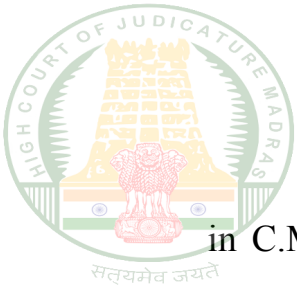
Crime No. 19 of 2023, thereby rejected the application filed seeking permission to visit abroad.

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2. The petitioner arrayed as third accused in Crime No.19 of 2023 on the file of the respondent registered for the offence under Section 120(B), 406, 420 & 506(i) of IPC.

3. In pursuant to the registration of FIR, the petitioner was granted anticipatory bail in Crl.O.P. No. 20638 of 2024 on condition that the petitioner shall not leave India without the prior permission of the Court. Therefore, the petitioner filed application before the Judicial Magistrate No.V, Coimbatore seeking permission to visit abroad. However, that apart, pending investigation, the respondent originated the record.

4. Since the petitioner is working in abroad, now on instructions, Mr.A. Gopinath, learned Government Advocate submitted that the issue as against the petitioner in pursuant to the registration of FIR has been cancelled and withdrawn. Further, the FIR registered in Crime No.19 of 2023 is under challenged before this Court in Crl.O.P.No.16647 of 2023 and also granted stay of further investigation. Therefore, the order passed



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in C.M.P.No.36066 of 2024 in Crime No.19 of 2023 dated 30.12.2024

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cannot be sustained and it is liable to be set aside.

5. The petitioner is directed to file undertaking affidavit before the respondent with particulars such as, date of visiting abroad, the country's name, staying address in abroad and the reason for visiting abroad and date of return from abroad to India. On filing undertaking affidavit before the respondent, the petitioner is permitted to visit abroad.

6. Accordingly, this Criminal Original Petition is allowed.

03.03.2025

Index : Yes / No
AT

To

- 1.The Judicial Magistrate No.V, Coimbatore,
Judicial Magistrate No.VII(FAC), Coimbatore
- 2.The Inspector of Police,
City / Central Crime Branch,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

AT

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