



WEB COPY

CRL RC No. 500 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-03-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 500 of 2025

1. Amir Jawahar Alikhan
S/O.Chikkander Yat Khan,
NO.27/6, 2nd Floor,
Pidariyar Temple Lane,
Seven Wells, Chennai - 600 001.

Petitioner(s)

Vs

1. State Rep By
The Inspector of Police, Central Crime
Branch, EDF-II, Team IV, Vepery,
Chennai - 600 007.
Cr.No.121/2022

Respondent(s)

PRAYER: This Criminal Revision Petition is filed under Section 438 read with 442 of BNSS, to call for the records pertaining to the order made in CrI.MP.No.73989/2024 in CNR.No.TNCHOF-102783-2024 in



CC.No.6838/2023 dated 13.02.2025 passed by the Learned Metropolitan Magistrate for exclusive trial of CCB cases (Relating to cheating cases in Chennai) and CBCID Metro cases, Egmore, Chennai - 600 008, set aside the same and direct the trial court to return the interim custody of the passport bearing No.W9443609 to the petitioner.

For Petitioner(s): Mr.Dalit Tiger C. Ponnusamy

For Respondent(s): Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been filed to call for the records pertaining to the order dated 13.02.2025 passed in CrI.M.P.No.73989/2024 in CNR.No.TNCHOF-102783-2024 in CC.No.6838/2023 by the learned Metropolitan Magistrate for exclusive trial of CCB cases (Relating to cheating cases in Chennai) and CB-CID Metro cases, Egmore, Chennai - 600 008 and to set aside the same and to direct the trial Court to return the interim custody of the Passport bearing No.W9443609 to the petitioner.

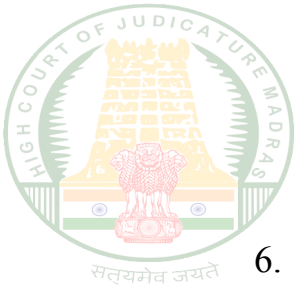
2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent-Police and perused the materials available on record.



3. The petitioner filed a petition in CrI.MP.No.73989/2024 in CNR.No.TNCHOF-102783-2024 in CC.No.6838/2023, on the file of the Metropolitan Magistrate Court for exclusive trial of CCB cases (Relating to cheating cases in Chennai) and CB-CID Metro cases, Egmore, Chennai, seeking to relax the bail condition by returning the petitioner's Passport bearing No.W9443609. The learned Metropolitan Magistrate dismissed the petitioner's petition, vide impugned order dated 13.02.2025. Challenging the same, the petitioner has filed this criminal revision petition.

4. It is submitted by the learned Additional Public Prosecutor that the respondent/Police registered the case in Cr.No.121/2022 against the accused for the offences under Sections 406, 420 read with 34 of IPC and after completion of investigation, the respondent-Police filed a final report and the same is taken on file in C.C.No.6838 of 2023. Further the respondent/Police produced the petitioner's Passport before the learned Metropolitan Magistrate Court for exclusive trial of CCB cases (Relating to cheating cases in Chennai) and CB-CID Metro cases, Egmore, Chennai.

5. This Court, again and again states that neither the prosecution agency, nor the Court, has authority to impound the Passport. The power of impounding the Passport only vests with the Passport Authority. Hence, the learned Metropolitan Magistrate is directed to take steps to return the petitioner's passport to the concerned Passport Authority in accordance with law.



6. With the abovesaid direction, this Criminal Revision Petition is disposed of. The petitioner is at liberty to work out his remedy before the concerned Passport Authority.

28-03-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
WEB COPY

1. The Metropolitan Magistrate for
exclusive trial of CCB cases (Relating
to cheating cases in Chennai) and
CBCID Metro cases, Egmore, Chennai
- 600 008,
2. The Inspector of Police, Central
Crime Branch, EDF-II, Team IV,
Vepery, Chennai - 600
007.Cr.No.121/2022
3. The Public Prosecutor,
High Court, Chennai



WEB COPY

CRL RC No. 500 of 2025



P.VELMURUGAN J

mfa

CRL RC No. 500 of 2025

28-03-2025