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Crl.M.P.No.14067 of 2025 in
CRL OP NO.24299 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.M.P.No.14067 of 2025

in

CRL OP NO.24299 of 2014

N.Sowri

....Petitioner

..Vs..

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
No.25, Gopalakrishna (Iyer) Road,
T.Nagar, Chennai – 6200 017.
(F.No.DRI/CZU/VIII/48/ENQ-01/INT/24/2014) Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of B.N.S.S,2023, to modify the condition imposed in 8(iv) that the petitioner shall surrender his passport before the concerned court on his return from abroad of the common order passed in Crl.M.P.No.2711 of 2023 in Crl.O.P.No.24299/2014, dated 27.03.2023.

For Petitioner
For Respondent

: Mr.K.Balasubramaniam
: Mr.N.P.Kumar,
Special Public Prosecutor



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ORDER

This Court, while passing the order in Crl.O.P. No. 24299 of 2014 dated 23.09.2014, imposed a condition that the petitioner shall deposit his passport. Thereafter, the petitioner filed another petition in C.M.P. No. 27119 of 2023 seeking the return of the passport. The petitioner has also filed Crl.M.P. Nos. 2711 and 2713 of 2023 in Crl.O.P. No. 24299 of 2014 dated 27.03.2023, seeking permission to deal with (or approve) the property.

2. This Court, after considering the submissions, passed the following order:

8(i) The respondent is directed to return the passport to the petitioner and to permit him to travel abroad.

(ii) The petitioner shall file an undertaking affidavit that he will perform his journey within six months from the date of return of passport and come back to India.

(iii) The petitioner shall deposit a sum of Rs.1 lakh as security and furnish two sureties, out of which, one surety must be a blood related surety and the petitioner shall also furnish the E-mail I.D to the respondent.

(iv) The petitioner shall surrender his passport



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before the concerned court on his return from abroad.

(v) On such return and on surrendering the passport, the learned Magistrate shall refund the sum of Rs.1 lakh deposited by the petitioner as security.

3. Now, the petitioner has filed the present petition seeking modification of the condition imposed upon him in Condition No. 8(iv), which stipulates that the petitioner shall surrender his passport after returning from abroad.

4. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for the respondent.

5. The learned counsel for the petitioner submitted that the DRT initiated an enquiry against the petitioner in the year 2014, during which he was granted anticipatory bail. At that time, a condition was imposed directing the petitioner to deposit his passport. Subsequently, the petitioner filed a petition seeking modification of the said condition, and this Court once again ordered that the petitioner shall surrender the passport after returning from abroad. He further submitted that since the original enquiry was initiated in 2014 and no fresh complaint has been filed by the respondent till date, the condition requiring the petitioner to deposit his passport is no longer necessary. Hence, he prays that the



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condition may be modified and the relief sought may be granted.

6. The learned Special Public Prosecutor submitted that although the respondent has not chosen to file a fresh complaint, adjudication proceedings have been initiated against the petitioner, and an order has been passed against him. Therefore, he strongly opposed granting the relief sought by the petitioner.

7. This Court has considered the submissions made by both sides and perused the records.

8. Admittedly, the petitioner was granted anticipatory bail in the year 2014 and has complied with the conditions imposed. After the lapse of eleven years, directing the petitioner once again to surrender his passport and comply with the said condition, without any fresh criminal proceedings initiated against him, is not warranted.

9. Accordingly, this **Criminal Miscellaneous Petition is allowed.**

15-10-2025

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To

1.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,

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2.The Speical Public Prosecutor
High Court of Madras.

K.RAJASEKAR, J.,

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