



Crl.R.C.No. 933 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.933 of 2025

D.Alexis Sudhakar

... Petitioner

Vs

State rep. by
The Inspector of Police
E-1, Mamallapuram Police Station,
Chengalpet District

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of BNSS Act to call for the records connected with the order dated 06.12.2024 passed by the learned Principal Sessions Judge, Chengalpet in Crl.M.P.No.3270 of 2024 and set aside the same.

For Petitioner : Mr.K.Raghunath

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Revision has been filed challenging the order passed in Crl.M.P No.3270 of 2024 dated 06.12.2024 thereby dismissing the petition to return the original passport.



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2. Heard the learned counsel on either side and perused the documents

placed on record.

3. The petitioner is the accused in Crime No.334 of 2024 for offence punishable under Sections 294(b), 353, 307, 506(ii) and Section 25(1A), 25(1AA), 27(2) of ARMS Act. The allegation is that the petitioner and others were found in possession of country made gun and they also threatened the police personnel with the country made gun. Further, the petitioner is arrayed as A.2 and he instigated other accused to keep the country made gun to do away with the life of one person and in pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody. Thereafter, the petitioner was granted bail in CrI.M.P.No.2467 of 2024 dated 04.09.2024 on condition that the petitioner shall surrender his original passport before the learned learned District Munsif cum Judicial Magistrate, Thirukazhukundram for a period of one year.

3. In pursuant to the same, the petitioner filed an application for return of passport and the learned Principal District and Sessions Judge, Chengalpattu dismissed the same by an order dated 06.12.2024 in CrI.M.P.No.3270 of 2024. Aggrieved by the same, the petitioner has come up with this Revision.



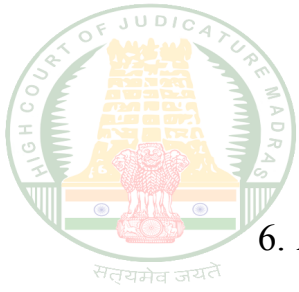
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4. At this stage, it is the contention of the learned Government Advocate (CrI.Side) that the petitioner is a habitual offender and already three previous cases are pending against the petitioner.

5. Considering the fact that the crime is of the year 2024 and the condition imposed by the learned Principal District and Sessions Judge, Chengalpattu, viz., to surrender the passport, is also nearing completion, this Court is inclined to allow the present Criminal Revision on the following conditions:-

The learned Principal District and Sessions Judge, Chengalpattu is directed to give the passport to the petitioner, on the petitioner filing an undertaking affidavit before the Principal District and Sessions Judge, Chengalpattu that he will not leave India without prior permission from the trial court. In his undertaking affidavit, the petitioner shall also give the details about his e-mail id, mobile number, place of stay in India and Abroad, after obtaining necessary permission from the trial court.



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6. Accordingly, the Criminal Revision Case stands allowed and the order

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06.12.2024 is set aside.

30.06.2025

Index : Yes/No;

Neutral citation : Yes/No

Speaking/non-speaking order

ssd

To

1. The Principal District and Sessions Judge,
Chengalpattu

2. State rep. by
Inspector of Police
E-1, Mamallapuram Police Station,
Chengalpet District

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

ssd

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