



Crl.R.C.No.1236 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 11.08.2025

CORAM:

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

Crl.R.C.No.1236 of 2025

M.Tangesvaran

... Petitioner

Vs.

The State rep. by
The Assistant Commissioner of Customs,
Customs Preventive Unit,
Coimbatore.

... Respondent

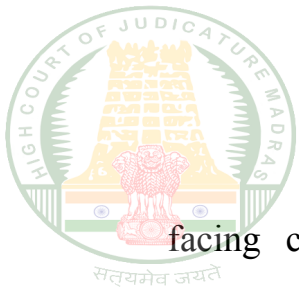
PRAYER: Criminal Revision has been filed under Section 438 & 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order dated 13.05.2025 passed in Crl.M.P.No.36259 of 2024 by the learned Chief Judicial Magistrate, Coimbatore and consequently direct the return of petitioner Malaysian Passport bearing No.A55506477.

For Petitioner	:	Mr.Hari Radhakrishnan
For Respondent	:	Mr.N.P.Kumar Special Public Prosecutor for Customs

ORDER

This Criminal Revision has been preferred as against the order dated 13.05.2025, passed by the learned Chief Judicial Magistrate, Coimbatore, in Crl.M.P.No.36259 of 2024 in C.C.No.1698 of 2022, thereby dismissing the petition filed by the petitioner seeking return of passport to visit abroad.

2. The petitioner is an accused in C.C.No.1698 of 2022 and he is



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WEB C 135(1)(b) of the Customs Act, 1962. In this case, the prosecution had completed its evidence and questioning was also over. Thereafter, the petitioner filed recall petition to recall P.W.1 and he was permitted to cross-examine. Now P.W.1's evidence is in continuation of cross-examination. At that juncture, the petitioner filed petition to return passport to visit Malaysia for the reason that his entire family are staying in Malaysia and his aged father now admitted in hospital for ailments. Therefore, the petitioner sought for return of passport for particular period. The trial Court dismissed the said petition and aggrieved by the same, the petitioner filed the present petition.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. As stated supra, the petitioner failed to cross-examine any of the witnesses. The prosecution completed all the evidences and thereafter the petitioner filed recall petition. However, without cross examining the witnesses, the petitioner filed the present petition seeking return of passport. Therefore, the request made by the petitioner was rightly rejected by the Court below and this Court is not inclined to interfere with the order passed by the



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trial Court. However, the trial Court viz., the learned Chief Judicial Magistrate, Coimbatore, is directed to complete the trial in C.C.No.1698 of 2022, within a period of three months from the date of receipt of a copy of this Order.

5. Accordingly, the Criminal Revision Case stands dismissed.

11.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

rts

To

1. The Chief Judicial Magistrate,
Coimbatore.

2. The Assistant Commissioner of Customs,
Customs Preventive Unit,
Coimbatore.

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



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G.K.ILANTHIRAIYAN. J,

rts

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