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Crl.M.P.No.15834 of 2025
in Crl.O.P.No.7375 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2025

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Crl.M.P.No.15834 of 2025

in

Crl.O.P.No.7375 of 2023

Harihara Subramaniam

... Petitioner/A2

Vs

The State Represented by
The Assistant Commissioner of Police,
CCB Branch II EDF - III,
Vepery, Chennai.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to modify the condition in para 7(b) imposed on the petitioner in Crl.O.P.No.7375 of 2023 by its order dated 11.04.2023 and consequently direct the learned Judicial Magistrate No.I, Alandur to return the petitioner's passport bearing No.M4104605, as he has to travel abroad for his business purpose.

For petitioner : Mr.M.Mathan Raj

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



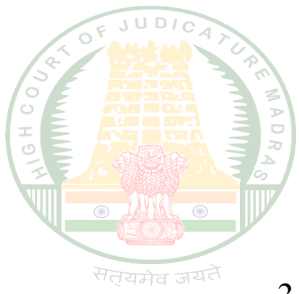
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ORDER

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The petitioner was granted bail on 11.04.2023 on condition that he has to deposit Passport before the trial Court and other usual conditions. The petitioner after depositing the passport and complying with other conditions is now enlarged on bail. His earlier application to modify the condition and return the Passport was dismissed by this Court on 14.07.2025, considering the nature of the allegation revelled against the petitioner and necessity of the Passport to be in judicial custody. Now the present petition is filed with similar relief stating that the petitioner needs Passport to travel abroad for his business purpose.

2.The learned Government Advocate (Crl. Side) opposed this petition on the ground that the charge against this petitioner is regarding manipulation of the documents with regard to supply of goods to customers abroad. If the petitioner's Passport is returned and if he is allowed to go abroad there is every possibility of tampering the records.



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3.This Court had taken note of the fact that the petition for modification is filed seeking a direction to the learned Judicial Magistrate No.I, Alandur to return the petitioner's Passport to enable him to travel abroad for his business purpose. When this Court earlier considered a similar prayer and dismissed it, the present petition is filed for the same relief. The intent of the petitioner by his conduct is made very clear. Hence, the petition for modification of the condition and prayer to direct the learned Magistrate to return the Passport stands dismissed.

4.The documents from abroad has to be received by the Investigating Officer for the investigation purpose. Till then the petitioner cannot be permitted to go abroad. For the said reason the petitioner is restricted from seeking similar relief in any manner until the documents from abroad is received by the Investigating Officer.

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DR. G.JAYACHANDRAN, J.

rsi

To:

- 1.The Assistant Commissioner of Police
CCB Branch II EDF - III,
Vepery, Chennai.
- 2.The Public Prosecutor,
High Court Madras.

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