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Crl.M.P.No.16200 of 2025
in Crl.O.P.No.4371 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.M.P.No.16200 of 2025
in
Crl.O.P.No.4371 of 2015

S.Kannan

... Petitioner

Vs.

The State by
Deputy Superintendent of Police,
CBI, STF,
New Delhi.

... Respondent

Prayer in Crl.M.P.No.16200 of 2025 : Criminal Miscellaneous Petition filed under Section 482 of Code of Criminal Procedure to modify the condition in Para 41(v) imposed on the petitioner to surrender the passport in Crl.O.P.No.4371 of 2015 dated 02.03.2015 and permit the petitioner to take back his passport now in custody of Hon'ble Special Court No.2 for trial of criminal cases against Member of Parliament and Member of Legislative Assembly of Tamil Nadu at Chennai.



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Prayer in Crl.O.P.No.4371 of 2025 : Criminal Miscellaneous Petition filed under Section 482 of Code of Criminal Procedure to enlarge the petitioner on bail.

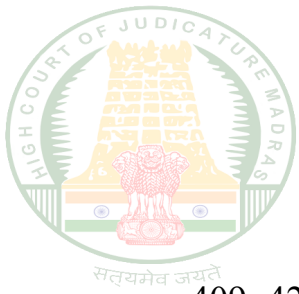
For Petitioner : Mr.J.Ravindran
for M/s.M.Sneha

For Respondent : Mr.N.Baaskaran
Special Public Prosecutor (CBI)

ORDER

This petition has been filed to modify the condition in Para 41(v) imposed on the petitioner to surrender the passport while granting bail in Crl.O.P.No.4371 of 2015 dated 02.03.2015 and to permit the petitioner to take back his passport now in the custody of Hon'ble Special Court No.2 for trial of criminal cases against Member of Parliament and Member of Legislative Assembly of Tamil Nadu at Chennai.

2.The petitioner states that he was arrested on 21.01.2015 and remanded to judicial custody on 22.01.2015 by the Hon'ble Principal Judge for CBI Cases, Chennai, for the alleged offences under Sections 120-B r/w.



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409, 420 IPC and Section 13(2) r/w. 13(1)(c) and 13(1)(d) of PC Act, 1988
in Crime No.RC/DST/2013/A/0019/CBI/ST/DLI.

3.This Court, by order dated 02.03.2015 in Crl.O.P.No.4371 of 2015, released the petitioner on bail subject to condition that the petitioner shall surrender his passport and shall appear before the Investigating Officer daily at 10.30 a.m. at the CBI Office, Shastri Bhavan, Nungambakkam, Chennai. In compliance of the order of the Court, the petitioner surrendered his passport on 04.03.2015 and was released on bail on 04.03.2015.

4.It is the contention of the petitioner that he is working as Chief Technical Officer (Sun TV Network Ltd.). For business purposes, he is expected to travel out of the country, for which, his passport is necessary. Therefore, on earlier occasion, this Court permitted the petitioner to take back his passport by order dated 19.02.2020 in Crl.M.P.No.1930 of 2020 by imposing certain conditions. Earlier, when the petitioner had to undergo medical treatment abroad, this Court permitted the petitioner to take back his passport by order, dated 04.10.2019, in Crl.M.P.No.13995 of 2019 in Crl.O.P.No.4371 of 2015 on conditions.

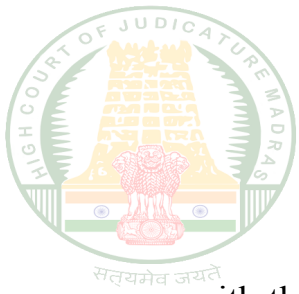


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5.Now, it is the contention of the petitioner that SUN Pictures, a division of M/s.Sun TV Network Ltd., has announced a high budget movie. The shoot of the said movie is to be at locations outside the country with graphic effects. For the said shoot, the presence of the petitioner is inevitable. Further, the petitioner had undergone Mitral Valve surgery in the year 2019 in New York after obtaining orders of this Court permitting the petitioner to take back his passport and he is due for review to ensure that his Mitral Valve is functioning properly and it is necessary to travel to New York for medical purposes, for which, passport is required. Therefore, for both business reasons and also for medical purposes, the petitioner requires his passport which he had surrendered before the trial Court after completing his earlier foreign trips. Hence, the present petition has been filed.

6.Learned Senior Counsel appearing for the petitioner would submit that this Court has earlier granted permission for return of passport to the petitioner for making foreign trips for business purposes and also for medical purposes. Once again, the petitioner is ready to comply



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with the conditions imposed by this Court. It is his further contention that every time, it takes some considerable length of time to get the passport returned after undergoing all the process. Hence, he seeks that the said condition may be relaxed.

7. Whereas, the learned Special Public Prosecutor raised objections by stating that the criminal case has now reached the stage of questioning under Section 313 Cr.P.C. and therefore, at this stage, if the passport is returned, the petitioner may flee away from the country.

8. It is relevant to note that the petitioner has been permitted to go abroad for his business purposes and medical purposes and his passport has been ordered to be returned on two earlier occasions by this Court, but on conditions. Therefore, having regard to the nature of job of the petitioner and the reasons stated by the petitioner for travelling abroad, this Court is of the view that the petitioner can be permitted to travel abroad, of course, subject to the conditions stipulated by this Court in the earlier order dated 10.12.2015 in Crl.M.P.No.2 of 2015 in Crl.O.P.No.4371 of 2015.



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9.As far as the relaxation of the condition is concerned, as the trial Court is in fact ordering the return of the passport as and when required, there cannot be any impediment for the petitioner visiting the foreign country. Therefore, let the same procedure be followed subject to the same conditions imposed by this Court earlier. In such view of the matter, there can be no relaxation of the condition.

10.Accordingly, this petition is ordered and the passport of the petitioner shall be ordered to be returned subject to the following conditions:

The petitioner shall file an affidavit of undertaking before the Court below, well in advance before leaving the country, along with the company's affidavit on what purpose he is going, the period of his visit, place of visit and his date of returning back, etc., along with his address, phone number and other details of the country to which he is travelling including the itinerary before the Magistrate. It is also made clear that only if the petitioner visits the foreign country for his job purpose, the passport will be returned. If any such affidavit is filed by the petitioner with the aforesaid details, the court below shall



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return the passport to the petitioner only for a limited period.

It is further directed that as soon as the petitioner returns from his place of visit, he shall surrender the same before the Court below. The petitioner shall also appear before the Investigating Officer, as and when required for interrogation except during the period, he goes out of the country on his job requirement.

11.It is also made clear that any application made before the trial Court pursuant to the orders of this Court, shall be disposed of by the trial Court within a period of three days.

11.09.2025

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

- 1.The Special Court No.2 for trial of
criminal cases against Member of Parliament
and Member of Legislative Assembly of Tamil Nadu,
Chennai.
- 2.The Deputy Superintendent of Police,
CBI, STF,



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3.The Public Prosecutor,
High Court, Madras.

N. SATHISH KUMAR, J.

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