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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 4262/2025

JONNA VENKATA TIRUPATI RAO

.....Petitioner

Through: Mr. Mukesh Rana, Ms. Mamta,
Mr. Janesh Patherwal & Ms. Vanshika
Rastogi, Advs.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Utkarsh, APP for the State.
Mr. Gurpreet Singh and Mr. Bakul
Jain, Advs.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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15.12.2025

1. Petition under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 ('B.N.S.S.') has been filed on behalf of the Petitioner for quashing of Orders dated 18.01.2025 and 09.04.2025, whereby the Complainant's Application under Section 480(3) BNSS to impose additional conditions, of surrender of Passport and to seek permission from the Court for travelling abroad, has been dismissed with the observations that such conditions are inherent in the Order and no such modification of the conditions is warranted.
2. It is submitted that on Application filed by the accused, learned CJM, vide Order dated 18.01.2025, observed that even though there was no specific condition imposed while granting Anticipatory Bail vide Order dated 29.07.2024, no condition for seeking prior permission for travelling abroad was made, but it is a condition inherent in an Bail Order and the permission to travel abroad has to be formally sought during trial /



proceedings. Consequently, the Application for permission to travel abroad filed on 09.04.2024, was dismissed by observing that it was highly belated.

3. ***Learned counsel for the Petitioner*** has contended that there was no such condition imposed at the time of granting Anticipatory Bail and it could not have been held to be inherent in the Bail Order.

4. ***Learned counsel for the Complainant*** submits that there is nothing to show how this direction is prejudicial to the Petitioner. It is only an intimation required to be given to the learned Trial Court for ensuring his presence during trial. Therefore, there is no merit in the present Petition, which is liable to be dismissed.

5. ***Learned APP for the State*** submits that there is nothing inappropriate in the impugned Order dated 18.01.2025 and subsequent Order dated 09.04.2025, and the Petition is liable to be dismissed.

Submissions heard and record perused.

6. Admittedly, Anticipatory Bail was granted by learned ASJ vide Order dated 29.08.2020. The perusal of this Order shows that there was no condition imposed against the Petitioner to seek prior permission to travel abroad. Learned CJM fell in error in observing that such condition is inherent in every Bail Order. Permission to travel abroad, in fact, means to limit the Constitutional Right of a person to travel freely. This restriction requires specific conditions and circumstances, which may merit imposition of such condition.

7. Bail Order dated 29.08.2020 did not mention any necessity for imposing condition of seeking prior permission for travelling abroad by the Petitioner. The only condition imposed was that Petitioner shall join and cooperate in the investigation and provide all the details, which are in his



possession and knowledge to the I.O. In case there has any need felt for imposition of additional condition in the Petitioner's Bail Order, the same cannot be incorporated in a manner in which it has been done *vide* impugned Order. Learned Trial Court should have given notice to the opposite party and prosecution, in case, there was any modification of the Bail conditions, to be effected.

8. Therefore, impugned Order dated 18.01.2025 is inherently contradictory and against the law, which is hereby set aside. However, to ensure that the whereabouts of the Petitioner are known to the Court, it is hereby directed that Petitioner shall give intimation to the learned Trial Court about his travelling abroad along with itinerary, at least seven days in advance.

9. Petition along with pending Applications is disposed of.

NEENA BANSAL KRISHNA, J.

DECEMBER 15, 2025/R