



WEB COPY



CrI.M.P.No.19357 of 2025
CrI.O.P.No.7379 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.M.P.No.19357 of 2025

in

CrI.O.P.No.7379 of 2020

S.T.Niyaz Rahman

... Petitioner/A1

Vs.

State rep by
Inspector of Police,
Central Crime Branch, (EDF-1 Team)
Egmore, Chennai.

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of BNSS, to modify the condition imposed in the order in CrI.O.P.No.7379 of 2020 dated 21.01.2021 to return the passport bearing No.M3390291 surrendered in C.C.No.1411 of 2020 on the file of Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai.

For Petitioner : Mr.S.Suresh
For Respondent : Ms.J.R.Archana
Government Advocate (CrI.Side)

ORDER

The petitioner is facing prosecution in C.C.No.1411 of 2020, on the file of the Metropolitan Magistrate, CCB, CBCID cases, Egmore. The accusation made against the petitioner is that he stole the cheques of his employer and



CrI.M.P.No.19357 of 2020
CrI.O.P.No.7379 of 2020

deposited the same in the accounts opened by him. Based on the complaint the petitioner was earlier arrested and released on bail by this Court vide order dated 30.04.2020 in CrI.O.P.No.7379 of 2020, in which one of the conditions is that the petitioner shall surrender his passport to the Superintendent of the concerned prison, before release. Accordingly, the petitioner has also surrendered his passport and subsequently, his passport has now deposited before the concerned Magistrate. Now the petitioner prays to return back his passport by modifying the aforesaid condition imposed by this Court.

2. The learned counsel for the petitioner submitted that the petitioner is regularly appeared before the trial Court and that the case is pending for 11 years and he is doing export business of nuts and spices and regularly export nuts to Maldives and he need to visit Maldives regularly. Since he surrendered his passport before the learned Magistrate, he was not able to continue his business activities. Hence, he prays to modify the aforesaid condition and return back his passport.

3. The learned Government Advocate (CrI.Side) appearing for the respondent/State has not raised any serious objection for allowing this petition.



Crl.M.P.No.19357 of 2020
Crl.O.P.No.7379 of 2020

WEB COPY

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

5. This Court has called for a report from the concerned Magistrate regarding the documents submitted along with passport and the nature of sureties furnished by this petitioner and the learned Metropolitan Magistrate, CCB & CBCID Court, Egmore, Chennai-07 has submitted his report in Dis. No.904 of 2025, dated 17.11.2025.

6. I have also gone through the materials produced before me and the report received from the learned Metropolitan Magistrate, CCB & CBCID Court, Egmore, Chennai-07.

7. On perusal of report, it revealed that the petitioner has filed a copy of Aadhar card, Ration Card, R.C Book and also Insurance, at the time of executing the sureties but he has not produced any title deeds and he has not surrendered original documents of any of his property as stated in his affidavit filed before this Court. Considering the fact that the petitioner is a business man



CrI.M.P.No.19357 of 2020
CrI.O.P.No.7379 of 2020

and he used to visit various countries for the purpose of business activities, this Court is inclined to modify the condition. However, **the petitioner shall deposit any one of the property (Original) document, in his name, if any, before the concerned Magistrate to show that he is having properties in Tamil Nadu as stated by him in paragraph No.5 of his affidavit. On such deposit, the learned Magistrate is directed to return back the petitioner's passport.**

8. Accordingly, this Criminal Miscellaneous Petition stands allowed.

20.02.2026

ssi

To

- 1.The Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai.
- 2.The Inspector of Police,
Central Crime Branch, (EDF-1 Team)
Egmore, Chennai.



3. The Public Prosecutor,
High Court of Madras.

WEB COPY



Crl.M.P.No.19357 of 2020
Crl.O.P.No.7379 of 2020

K.RAJASEKAR,J.

ssi



WEB COPY



Crl.M.P.No.19357 of 2025
Crl.O.P.No.7379 of 2020

Crl.M.P.No.19357 of 2025 in
Crl.O.P.No.7379 of 2020

20.02.2026