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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CRL OP No. 35104 of 2026

CNR: {HCMA012883172026}

Case QR

K.Padmanabhan,
S/o K.P.Krishnamurthy,
No.110, R.K.Mutt Road, R.A.Puram,
Chennai.

….Petitioner(s)

Vs

The State Rep. By,
The Deputy Superintendent of Police
CBI, EOB, Chennai.

...Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS, 2023 to modify conditions (g) and (h) of the order dated 23.11.2026 passed by the Learned Additional Chief Metropolitan Magistrate, Egmore, Chennai in Crl.MP.No.12816 of 2026 in CC.No.1240 of 2026 and thereby render justice.

For Petitioner(s): Mr.H.Karthik Seshadri

For Respondent(s): Mr.B.Mohan
Special Public Prosecutor For CBI Cases

ORDER

The petitioner is the 2nd accused in C.C. No. 1240 of 2026. He filed an application pursuant to the liberty granted by this Court in W.P. (Crl.) No. 2254 of 2026, seeking permission to travel abroad. The purpose of travel, though not strictly necessary to be furnished, was to visit his family in the United States of America. The application seeking such permission was numbered as Crl. M.P.

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No. 12816 of 2026. The learned Trial Judge called upon the respondent to file a counter. Upon considering the submissions, the learned Trial Judge came to the conclusion that the application deserves to be allowed, subject to certain conditions. The petitioner is aggrieved by conditions (g) and (h), which read as follows:

> *"(g) The petitioner shall surrender his passport to the Indian High Commission at Ireland on the date of his arrival and shall collect it back only before his return to India as per the schedule to be provided.*
>
> *(h) An acknowledgment of surrendering his passport to the Indian High Commission shall be communicated to the C.B.I. forthwith."*

2. It is the submission of Mr. H. Karthik Seshadri, that in case the petitioner complies with conditions (g) and (h), he would not be in possession of his passport, while travelling in the United States of America. He submits that this would put him in serious difficulty with the United States Immigration and Customs Enforcement (ICE) authorities. Hence, he seeks modification of those condition.

3. A perusal of the order passed in Sethurathnam Ravi Vs. Superintendent of Police, CBI in Crl. O.P. No. 28577 of 2024 dated 27.11.2024 shows that the learned Judge held that if the petitioner was compelled to surrender his passport

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while he is abroad, he would face the prospect of languishing in jail in a foreign land. The reasoning given by the learned Judge in Paragraph No. 6 of the said order applies in full force to the present case as well. I have no reason to take a view different from the one taken by the learned Judge. Following the order in Crl. O.P. No. 28577 of 2024, conditions (g) and (h) imposed by the Trial Court are completely relaxed and this Original Petition is **Allowed**. The petitioner shall strictly comply with all other conditions imposed by the learned Trial Judge. .

4. The respondent CBI, taking into consideration the order passed in Crl. M.P. No. 12816 of 2026 in C.C. No. 1240 of 2026, dated 23.11.2026, shall verify whether the conditions imposed by the Trial Court have been complied with, and if so, it shall forthwith intimate the Bureau of Immigration regarding the orders passed by the Court and seek suspension of the Look Out Circular (LOC) for the period from 29.11.2026 to 12.12.2026.

25-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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Note: Upload on 26.11.2026.

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V.LAKSHMINARAYANAN, J.

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To

1. Learned Additional Chief Metropolitan Magistrate,
   Egmore, Chennai.

2. The Deputy Superintendent of Police
   CBI, EOB, Chennai.

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

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