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CRL RC No. 2800 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2800 of 2025

Kiran Velagapudi
D/o. Late Mr.V.M.Rao, No.11,
Third Road, Kasthuri Estate,
Gopalapuram, Chennai - 600 086.

Petitioner(s)

Vs

1. State of Tamil Nadu
Rep.by, The Deputy Superintendent of Police,
Idol Wing, CID,
Chennai - 600 032.

Respondent(s)

PRAYER

Criminal Revision Case is filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, to set aside the order dated 13.10.2025 passed by the Chief Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.13415 of 2025.

For Petitioner(s): Mr.K.P.Anantha Krishna
for M/s.CRM Legal

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed challenging the dismissal of the petitioner's application seeking return of passport which is in the custody of the Trial Court.



WEB COUNSEL

2. The learned counsel appearing for the petitioner would submit that the passport was surrendered pursuant to the directions issued by the Trial Court while executing sureties.

3. The petitioner is an accused in Crime No.2 of 2016 registered for the offences under Sections 457(2), 380(2), 411(2) and 120(B) of IPC and Section 25(1) of the Antiquities and Art Treasures Act, 1972. The petitioner sought for return of her passport stating that she needs to travel abroad frequently to visit her mother, who is suffering from serious illness, and also for other purposes and that no prejudice would be caused to the respondent. After surrendering the passport, the petitioner had obtained the return of passport temporarily to visit abroad on one occasion and that she had duly complied with all the conditions imposed by the Trial Court.

4. The learned Government Advocate (Crl.Side) submitted that though the petitioner had complied with the earlier order of the Trial Court by returning the passport after travelling abroad, the petitioner cannot be permitted to retain the passport in her permanent custody, as there is livelihood of her absconding, since her relatives are residing abroad.



5. In response, the learned counsel for the petitioner would submit that the petitioner is the Managing Director of a company and owns several properties and that there is no way that she would abscond.

6. From the aforesaid submissions, it is seen that the FIR was registered in the year 2016. It appears that the respondent filed the final report before the Additional Chief Judicial Magistrate, Kumbakonam, on 25.10.2023. Thereafter, the case was transferred to the Additional Chief Metropolitan Magistrate, Egmore, pursuant to the G.O.Ms.No.275, Home (Courts-II) Department, dated 16.04.2024. The case is yet to be taken on file as certain documents were found missing during transit. It is also seen that the petitioner had travelled abroad to Germany from 01.06.2025 to 31.08.2025 after obtaining temporary return of her passport and thereafter, surrendered the passport before the Trial Court on 19.09.2025.

7. In the light of the above facts and circumstances, this Court is of the view that no prejudice would be caused to the respondent if the passport is returned to the petitioner. Hence this passport is directed to be returned on the following conditions :

(i) The petitioner shall execute a bond for a sum of Rs.10,00,000/- with two sureties for a like sum.



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(ii) The petitioner shall seek prior permission from the Court below whenever she intends to travel abroad.

(iii) The learned Magistrate shall consider such request within a period of one week from the date of filing, after hearing the respondent.

(iv) While seeking permission before the Trial Court, the petitioner shall file an affidavit containing relevant details, including the proposed place of stay abroad, a valid contact number and the tentative date of return to India, etc.

8. In the result, this Criminal Revision Case stands allowed.

19-01-2026

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

To

1. Chief Metropolitan Magistrate, Egmore, Chennai
2. The Deputy Superintendent of Police,
Idol Wing, CID, Chennai - 600 032.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.

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