IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL RC.No.914 of 2026

CNR No.HBHC010047722026

DATED : 30.10.2026

BETWEEN:

Gopi Gali

... Petitioner-Accused No.3

AND

The State of Telangana,
Rep. by its Public Prosecutor

... Respondent-Respondent

ORDER

1. This Criminal Petition is filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to set aside the order dated 30.07.2026 passed by the learned XII Additional Chief Judicial Magistrate at Hyderabad.

2. Heard Sri Prabhakar Sripada, learned Senior Counsel representing Sri Setty Ravi Teja, learned counsel for petitioner-A3 and Sri E.Ganesh, learned Assistant Public Prosecutor for respondent - State.

3. Learned counsel for the petitioner submits that the learned trial Court failed to exercise the jurisdiction vested in it in a rational manner, failed to appreciate the fact that petitioner-A3 requires sufficient validity of his passport for renewal of his work permit and for completing the necessary employment and residence related formalities in Croatia. Petitioner-A3 passport is expiring in four (4) months i.e., by 22.01.2027, inability to obtain a renewed passport sufficiently in advance would cause serious hardship to the petitioner-A3. As per rule 12(1) of the Passport Rules, 1980, an ordinary passport for persons other than children below the age of 15 years containing 36 pages or 60 pages shall be in force for a period of 10 years, from the date of its issue. The learned trial Court erred in not giving "No Objection Certificate" to the petitioner-A3 for the renewal of his passport on the assumption that there is no immediate urgency, as the passport of the petitioner-A3 would be expiring on 22.01.2027. Renewal of passport will take several weeks and submitting the passport for renewal in the eleventh hour will not advance the cause of the petitioner-A3. The learned trial Court failed to see that unless the petitioner-A3 has a passport which is subsisting for more than one year, he will not be allowed to travel to various

countries and that the employer also will not extend his employment contract and prayed to set aside the impugned order.

4. Learned Assistant Public Prosecutor submits that the learned trial Court has rightly appreciated the material on record and rightly dismissed in respect of the renewal of the passport as it is expiring on 22.01.2027, no interference is called for, and prayed to dismiss the petition.

5. Petitioner is arrayed as A3 in CC.No.10380 of 2020 and he is facing charges for the offences under Sections 109, 406, 409, 420, 465, 468, and 471 r/w Section 34 of IPC. During investigation, passport of the petitioner-A3 is recovered and the same is deposited before the concerned Court along with original residence card of croatia.

6. Petitioner-A3 has filed Crl.MP.No.2639 of 2021 for return of passport, the same was given interim custody to go abroad conditionally and thereafter, he has also filed Crl.MP.No.3329 of 2025 for the same relief, and the same was considered by the learned trial Court on 18.12.2025 for its renewal.

7. Petitioner-A3 has filed Crl.MP.No.66 of 2026 for return of passport and go to Croatia for a period of six (6) months for the

purpose of his employment. The same was considered by the learned trial Court on 13.02.2026 on conditions with a rider that Petitioner-A3 shall redeposit his passport before the learned trial Court on or before 05.08.2026.

8. Before the expiry of the above said period, petitioner-A3 has filed another application in Crl.MP.No.451 of 2026 with a prayer that he is unable to return to India and redeposit his passport on or before 05.08.2026 and sought for extension of his stay and renewal of his passport.

9. Respondent-State has opposed the application and filed counter.

10.1. Learned trial Court *vide* order dated 30.07.2026 has partly allowed Crl.MP.No.451 of 2026 granting permission to the petitioner-A3 to stay abroad for the purpose of his business on the same terms and conditions imposed in Crl.MP.No.66 of 2022 dated 13.02.2026 and further directed him to redeposit his passport on or before 31.12.2026.

10.2. In so far as the renewal of the passport is concerned, it came to be rejected by the learned trial Court as the date of expiry of the passport is far away from the date of order (30.07.2026).

11. Admittedly, the passport of the petitioner-A3 is valid from 23.01.2026 to 22.01.2027. The learned trial Court has already granted permission to the petitioner-A3 to stay abroad for his business purpose in the same terms and conditions imposed in the order dated 13.02.2026.

12. The reasons assigned by the learned trial Court in the order dated 30.07.2026 that the date of expiry of the petitioner's passport is far away from this date (30.07.2026) is perverse, and the same is liable to be set aside in view of the reasons above. Furthermore, no prejudice will be caused to the State.

13. As rightly contented by the learned Senior Counsel that renewal of passport will take several weeks.

14. If the passport of the petitioner-A3 is renewed for a period of one year, which will meet the ends of justice and anyhow, the learned trial Court has already directed the petitioner-A3 to redeposit his passport on or before 31.12.2026.

15. Criminal Revision Case is allowed. The order passed by the learned XII Additional Chief Judicial Magistrate at Hyderabad in Crl.MP.No.451 of 2026 in CC.No.10380 of 2020 dated 30.07.2026 is set aside and the passport of the

petitioner-A3 shall be renewed for a period of one year and rest of the conditions imposed by the Lenders trial Court in the above said order is unaltered.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

30th October, 2026
PLV

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