

IN THE COURT OF ADDL. CHIEF METROPOLITAN  
MAGISTRATE, 8TH COURT, ESPLANADE MUMBAI

C.C. NO. 2079/MISC/2021

Avinash Shyamsundar Rao

... Applicant

v/s.

DRI, Mumbai

... Respondent

ORDER BELOW APPLICATION FILED BY THE  
ACCUSED/APPLICANT AVINASH SHYAMSUNDAR RAO FOR  
RELAXATION OF BAIL CONDITIONS & RETURN OF PASSPORT

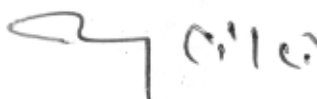
Read application and say of DRI Intelligence, Mumbai.

2. Heard Ld. Counsel Mr. Pratik Karande for the applicant and Ld. Spl. PP Vibhavari Pathak for DRI at length.

3. The Ld. Counsel for the accused argued that the applicant alleged to have committed an offence punishable under sections 32, 135(1)(a)(i)(A) and 135(1)(b)(i)(A) of the Customs Act. As charge-sheet is not filed within stipulated period, therefore accused is enlarged on bail. While enlarging him on bail, certain conditions were imposed upon him and therefore, prayed to relaxed some of those conditions which are related that, "*He shall not leave India without permission of the court and allowing the DRI Department to retain his passport*". He argued that the applicant is the Customs Agent required to visit foreign countries frequently. By virtue of said conditions, causing inconvenience to him. Prayed to allow the application.

4. The other side strongly objected for the same submitted that the investigation is in progress. If the said conditions are relaxed there is every possibility of absconding. Prayed to reject the application.

5. If considered the submissions made by the Ld. Counsels for the parties, conditions imposed vide bail order dated 02/06/2021, I am of view that unless the investigation is completed, complaint is filed, it is not appropriate to relax the said conditions. Hence, the prayer of the applicant is required to be rejected. Hence, rejected.



(R. M. Nerlikar)

Addl. Chief Metropolitan Magistrate,  
8<sup>th</sup> Court, Esplanade, Mumbai.

Date : 18/11/2021