

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

I.A.No. 1 OF 2026

IN

CRLP NO: 5398 OF 2026

Between

1. Smt. Parul Shah, D/o. Naveen Chand Domadia.
2. Sri. Gowrav V. Domadia, S/o. Verender Domadia.
3. Sanjay Shah Domadia, S/o late Praveen Domadia.

...PETITIONERS/Accused Nos. 2 to 4
(Petitioners in CRLP NO: 5398 OF 2026
on the file of High Court)

AND

1. The State of Telangana, Represented through Public Prosecutor, High Court of Telangana, Hyderabad
2. Smt. Pallavi Domadia, W/o Anand Raj Domadia, Aged 55 years, Occ House Wife R/o. H.No.4-4-926/ E34, Prem Bagh, KS Lane, Sultan Bazar, Hyderabad.

...RESPONDENTS
(Respondents in-do-)

Counsel for the Petitioner: Smt K ANNAPURNA REDDY

Counsel for the Respondent No. 1: PUBLIC PROSECUTOR

Counsel for the Respondent No. 2: Mr.G.Suryanarayana

Petition under Section 482 of the CR.P.C praying that in the circumstances stated in the grounds filed in support of the CRIMINAL PETITION, the High Court may be to direct the court below to return the passport bearing No. S3365568 pertaining to the petitioner pending the C.C. No. 25 of 2017 on the file of the XIII Addl. Chief Metropolitan Magistrate Cum Mahila Court at Hyderabad, pertaining to the Petitioner / Accused No. 2 is concerned, pending disposal of CRLP No 5398 of 2026, on the file of the High Court.

Court made the following

ORDER

This application has been filed seeking a direction to the Court below to return the passport bearing No.S3365568 pertaining to the petitioner, pending C.C.No.25 of 2017 on the file of the XIII Additional Chief Metropolitan Magistrate cum Mahila Court at Hyderabad.

Heard Mrs. K.Annapurna, learned counsel for the petitioners and Mr.G.Suryanarayana, learned counsel for respondent No.2.

Learned counsel for the petitioners submitted that the petitioner No.1/accused No.2 in C.C.No.25 of 2017 wants to travel to Canada on the ground that her daughter has conceived for the second time and her presence is very much required to look after her welfare. Unless this Court issues necessary direction to the trial Court to grant interim custody of the passport bearing No.S3365568 to the petitioner, she will be put to great hardship.

Learned counsel appearing on behalf of respondent No.2 submitted that the petitioner has not given any travel or residential particulars in the present and therefore, is not entitled to seek interim custody of the passport.

Having considered the submission made by the respective parties and after perusal of the material available on record, it reveals that petitioner was arrayed as accused No.2 in C.C.No.25 of 2017 on the file of the XIII Additional Chief Metropolitan Magistrate cum Mahila Court at Hyderabad for the offences punishable under Sections 498 A read with 34 of the Indian Penal Code, 1860 (for short, 'IPC').

The petitioners, in paragraph No.11 of the memorandum of grounds, specifically mentioned that the daughter of the petitioner No.1 has conceived for the second time and requested the petitioner No.1 to join her and her presence is very much required to look after welfare of her daughter.

Taking into consideration the above said facts and circumstances and the submissions made by the learned counsel for the petitioners, this Court is inclined to grant permission to the petitioner for interim custody of the passport bearing No.S3365568, subject to the following conditions:

- i) The petitioner No.1/accused No.2 shall furnish surety of a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties to the satisfaction of the learned XIII Additional Chief Metropolitan Magistrate cum Mahila Court at Hyderabad.
- ii) The petitioner shall file an undertaking affidavit stating that she shall return to India within a period of six (06) months from today and shall deposit her passport before the trial Court within a period of one week from her return back to India and shall not leave India without prior permission of the trial Court.
- iii) The petitioner shall furnish her travel particulars and residential address of the place where she intends to reside at Canada, as well as mobile number and E-mail address before the trial Court.

Accordingly, I.A.No.1 of 2026 is ordered.

Sd/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XIII Addl. Chief Metropolitan Magistrate Cum Mahila Court at Hyderabad.
2. The Station House Officer, P.S., Sultan Bazar, Hyderabad.
3. Smt. Pallavi Domadia, W/o Anand Raj Domadia, Aged 55 years, Occ House Wife R/o. H.No.4-4-926/ E34, Prem Bagh, KS Lane, Sultan Bazar, Hyderabad.[By SPAD]
4. One CC to Sri. K ANNAPURNA REDDY Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

JSR, J

DATED: 29-04-2026

ORDER

**I.A.No. 1 OF 2026
IN
CRLP NO: 5398 OF 2026**

DIRECTION

