2026:TSHC:35614

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL REVISION CASE NO: 1057 OF 2026

Revision case under Sections 438 & 442 of BNSS aggrieved by the order dated 19-10-2026 passed in Crime No. 391 of 2026 on the file of the Court of the VII Additional Chief Judicial Magistrate at Nampally, Hyderabad.

Between:

Mohammed Hameed, S/o. Mohammed Ameer, Aged 40 years, Occ. Business, R/o.H.No.16-11-16/L/27, Teegalguda, Malakpet, Hyderabad.

...Petitioner/Accused No.3

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court Buildings, Hyderabad. through S.H.O., P.S. Banjara Hills, Hyderabad.

...Respondent

2. Sri K.Sanjeeva Reddy, Sub-Inspector of Police, PS Malakpet, Hyderabad.

...Respondent/Complainant

Counsel for the Petitioner: Sri. Y. Soma Srinath Reddy, representing M/s Harsheet Reddy Law Firm

Counsel for the Respondents:
Sri M. Vivekananda Reddy, Assistant Public Prosecutor

The Court made the following: ORDER

Learned counsel for the petitioner filed I.A.No.3 of 2026 and submitted that, pursuant to the order dated 13.11.2026 passed by this Court, a memo was filed before the learned Magistrate bringing the said order to his notice. However, the learned Magistrate orally observed that this Court had not issued any specific direction for release of the petitioner's passport and, consequently, directed the petitioner to take steps in accordance with law. It is further submitted that, in view of

the said observation, the learned Magistrate refused to release/return the petitioner's passport.

This Court, vide order dated 13.11.2026, while allowing the Criminal Revision Case, passed the following order:

"Accordingly, the Criminal Revision Case is allowed. The condition imposed in Paragraph No.7 of the order of remand dated 19.10.2026 passed by the learned VII Additional Chief Judicial Magistrate, Hyderabad, in Crime No.391 of 2026 of P.S. Malakpet, Hyderabad, directing the petitioner-accused No.3 to deposit his passport before the Court, is hereby set aside. However, this order shall not preclude the prosecution from taking appropriate steps, in accordance with law, before the competent authority under the provisions of the Passports Act, if so advised. It is further made clear that the remaining conditions imposed in the order of remand shall remain unaltered. There shall be no order as to costs."

A perusal of the aforesaid order makes it clear that this Court has set aside the condition imposed in Paragraph No.7 of the order of remand dated 19.10.2026 passed by the learned VII Additional Chief Judicial Magistrate, Hyderabad, in Crime No.391 of 2026 of P.S. Malakpet, Hyderabad, directing the petitioner- accused No.3 to deposit his passport before the Court. Once the said condition is set aside, the consequential action would be to release/return the passport of the petitioner-accused No.3, which is in the custody of the Court. Though this Court has not issued any separate or express direction for release/return of the passport, the consequence flowing from setting aside the condition is implicit in the order itself. Therefore, the absence of an express direction in that regard cannot, by itself, be construed as a ground for withholding or refusing to return the passport the learned Magistrate.

In view of the above, the Registry is directed to call for a detailed explanatory report from the concerned learned Magistrate, explaining the reasons for refusing to release/return the petitioner's passport, even after this Court vide Order 13.11.2026 specifically set aside the condition imposed in Paragraph No.7 of the order of remand dated 19.10.2026 passed by the learned VII Additional Chief Judicial Magistrate, Hyderabad. The said report shall be submitted on or before the next date of hearing.

The Registry is directed to forthwith communicate a copy of this order to the concerned learned Magistrate. The matter shall be listed on 25.11.2026 for submission of the explanatory report.

SD/- N.SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Registrar Judicial-1, High Court for the State of Telangana at Hyderabad.
2. The Section Officer, Criminal Section, High Court for the State of Telangana at Hyderabad.
3. The VII Additional Chief Judicial Magistrate at Nampally, Hyderabad.
4. The Station House Officer, Malakpet Police Station, Hyderabad.
5. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
6. One CC to M/S Harsheet Reddy Law Firm, [OPUC]
7. Two CD Copies

GNK

2026:TSHC:35614

HIGH COURT

DATED: 20/11/2026

MATTER BE LISTED ON 25-11-2026

ORDER

CRLRC.No.1057 of 2026



DIRECTION

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