

**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE  
SONITPUR AT TEZPUR**

PRESENT : Smt. M.R. Sharma  
Additional Sessions Judge  
Sonitpur, Tezpur

**CRIMINAL REVISION NO. 60 (S-3) OF 2012**

[ Revision Petition filed u/s 397 / 399 Cr.P.C. against the order dated 03-08-2012 passed by Smt. B. Kshetry, Addl. Chief Judicial Magistrate, Sonitpur, Tezpur, in connection with GR Case No. 546 of 2012 u/s 380 IPC r/w Section 66 of the IT Act ]

Md. Ehtasam Ahmed .... **Petitioner**

-VERSUS-

State of Assam. .... **Opp. Party**

**ADVOCATES WHO APPEARED IN THIS CASE**

For the petitioners : Sri K.P. Singh, Advocate  
Sri S.K. Singh, Advocate

For the Respondent : Sri H. Serai,  
Addl. Public Prosecutor

Date of Argument : 30-01-2013, 14-02-2013

Date of Judgment : **14-02-2013**

**J U D G M E N T**

This Criminal Revision arose on a petition Under Section 397 / 399, Cr.P.C. filed by Md. Ehtasam Ahmed Challenging the legality, propriety and correctness of the order dated 23-11-2010 passed by Smt. B. Kshetry, Addl.

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Chief Judicial Magistrate, Sonitpur, Tezpur, in connection with GR Case No. 546 of 2012 u/s 380 IPC r/w Section 66 of the Information Technology Act.

**2.** The revision has been filed on the ground that the learned trial Court had passed the order dated 03-08-2012, whereby the petitioner was not allowed permission to leave the jurisdiction of the Court causing injustice to him. The petitioner stated that though the case was registered against him and the investigation was going on, he being an unemployed youth received appointment letter from Zee Network asking him to join as Event Organizer on 10-09-2012. But though bail was granted to him, he had sought for allowing him to leave the jurisdiction of the Court to join in Mumbai, which was rejected and such rejection has caused injustice to him. The revision petitioner also states that the police have not yet completed the investigation and if he is allowed to leave the jurisdiction, he will not flee and will appear as and when directed by the Court to face trial or the investigation.

**3.** Called for record of the case and the case diary received.

**4.** I have heard the learned counsel for the revision petitioner and also the learned Additional Public Prosecutor on their respective submissions.

**5.** On going through the record and the case diary, I find that the revision petitioner was granted bail on certain conditions and the offence relates to a serious

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offence regarding Cyber Crime. The accused was arrested on an FIR of alleged withdrawal of different amounts of money from different Bank accounts with the help of Information Technology by he accused. It is also seen that huge amounts of Rs. 1,50,000/- and other large amounts were withdrawn by the accused and 11 numbers of FIR was lodged by different Account holders of withdrawal of money with the help of such Technology. It is also seen that similar withdrawals were made not only from Dhekiajuli but also from Noida. As such, police registered a number of cases u/s 380 IPC r/w 66 of the IT Act. A number of articles were also seized from the accused including CPU, Pass Book, CDR specially developed data Audio / Video recording and other such articles.

The case diary also reveals that the investigation is almost complete and as the offence relates to cyber crime, which is serious in nature, the prayer for allowing the revision petitioner to leave the jurisdiction of Tezpur will affect the investigation at this stage. Further more, the documents submitted by the revision petitioner whereby he has been appointed as Event Organizer and also a letter from Zee TV Network asking him to join as Call Managing Incharge in the Call Section on 29-09-2012, has also expired.

**6.** I, therefore, find that the learned trial Court did not erred in law or in fact for not considering the prayer for leaving the jurisdiction of Tezpur and also the order dated 03-08-2012 is fully justified. I, therefore, find no ground to interfere with the order dated 03-08-2012 and also no modification or alteration is required.

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**7.** With the above direction, the Revision petition is dismissed.

Return the lower court record along with a copy of judgment of this Court.

This Revision stands disposed of.

Given under my hand and seal of this Court on this 14th day of February, 2013.

**( M.R. Sharma )  
Additional Sessions Judge  
Sonitpur : Tezpur**

Dictated and corrected by me  
and every page bears my  
Signature.

**( M.R. Sharma )  
Additional Sessions Judge  
Sonitpur : Tezpur**

Transcribed and Typed on dictation by me –

**( I. Goswami )  
Stenographer**