



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17030 of 2026

Jothiraj
S/o. Thangavelu,
No.15/93, Perumpallam,
Andiyagoundanur,
Amaravathi Nagar,
Tiruppur District.

..Petitioner(s)

Vs

The State Represented by the Inspector of Police
B-2, R.S.Puram Police Station,
Coimbatore District.
Crime No.339/2024

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to Set aside the impugned dismissal order passed by the Learned Magistrate No.I, Coimbatore in Crl.M.P.No.1945 of 2026 dated 02.04.2026 and consequently direct to grant and pass order for NOC to renewal of my passport bearing No.8095657.

For Petitioner(s):

Mr.G.Anbuchezeiyan

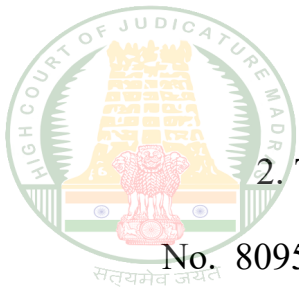
For Respondent(s):

Mr.R.Rajasekaran

Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking to set aside the order dated 02.04.2026 passed in Crl.M.P.No.1945 of 2026 in C.C.No.198 of 2025.



2. The case of the petitioner is that the petitioner is the holder of Passport No. 8095657, which was due to expire on 25.04.2026. He had applied for renewal of the passport. Since an adverse police report had been submitted against him, the petitioner filed the above application before the trial Court seeking a No Objection Certificate for renewal of the passport. The said application was dismissed by the impugned order and aggrieved by the same, the petitioner is before this Court.

3. The learned Government Advocate (Criminal Side) submitted that, in view of the possibility of the petitioner absconding and leaving the country, the trial Court had rightly considered the flight risk involved and rejected the request.

4. The law on the issue is well settled. The petitioner committed a mistake in filing an application before the learned Magistrate seeking a No Objection Certificate for renewal of his passport. If the criminal case is only at the FIR stage, no permission from the Court is required for renewal of the passport. Even where a charge sheet has been filed and the case is pending before a Court, renewal of the passport can be considered by the Passport Authority. Permission of the concerned Court would be necessary only when the passport holder intends to travel abroad. Therefore, the filing of the application itself was misconceived and the rejection thereof was equally



unwarranted.

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5. Accordingly, the impugned order dated 02.04.2025 is set aside.

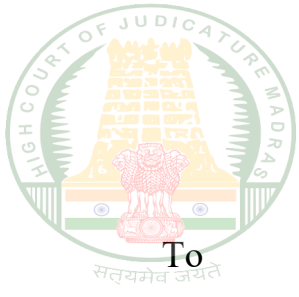
Though the Passport Authority is not a party to these proceedings, on production of a web copy of this order, the Passport Authority shall consider the petitioner's application for renewal of passport de hors the pendency of C.C.No.198 of 2025 and renew the passport, if there is no other legal impediment.

6. However, considering that the criminal case relates to allegations of cheating involving more than Rs.2 crores and that there exists a possibility of flight risk, the petitioner, upon renewal of the passport, shall deposit the original passport before the trial Court. If the petitioner intends to travel abroad, he shall file an appropriate application before the trial Court seeking permission. The trial Court shall consider such application on its own merits and grant permission only upon being satisfied that adequate safeguards exist to secure the petitioner's return to India.

7. Accordingly, the Criminal Original Petition stands disposed of.

03-07-2026

Neutral Citation: Yes/No
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To

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1. The Inspector of Police
B-2, R.S.Puram Police Station,
Coimbatore District.
2. The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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