



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P. (MD) No.3972 of 2015

G.Liyakath

.. Petitioner/Accused
Vs.

1.Regional Passport Officer
Bharathi Ula Veethi
Race Course Road,
Madurai.

.. 1st Respondent/Defacto Complainant

2.State rep. through
the Inspector of Police,
Tirunelveli Town police Station,
Tiruinelveli
Crime No.868/2014

.. 2nd Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records from the learned Judicial Magistrate in Cr.No.868 of 2014 on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.M.Sheik Abdullah
For Respondents : Mr.K.Anbarasan
Government Advocate, (Crl. Side)

O R D E R

The petition has been filed to quash the case in Crime .No. 868 of 2014 pending on the file of the 2nd respondent police.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3.The basis of registration of the case in Crime No.868 of 2014, reads as follows:

"Shri.Abdul Shithike Nazeem S/o.Mohammed Iqbal has approached this office for granting date priority for submission of passport application as his passport No.F0913020 dated 28.09.2004 issued at Trichy contains valid visa and has to travel on 07.10.2014. He approached one travel agency M/s.Aliel Air Travel Service and he has given false promise for getting prior appointment to submit the application and guided to approach Regional Passport Office, Madurai. Copy of visiting card issued by G.Liyakath M/s.Aliel Air Travel Service, applicant ARN sheet and applicant letter are enclosed herewith for your perusal. Government of India, Ministry of External Affairs has not authorized any travel agency for passport related services. Hence, I request you to kindly make inquiries and take necessary action against the travel agent as per rules."

4. A bare reading of the above does not disclose any wrong doing, which is actionable. There is an assertion that a customer had approached a travel agency run by this petitioner and this petitioner had afforded a false promise of getting prior appointment to submit

application before the passport authority.

5. As stated supra, the complaint informs nothing actionable much less offences under Section 417 IPC and 12(3) of the Passport Act, 1967, for which, a case stands registered. Hence, the petition shall stand allowed and the case registered in Crime No.868 of 2014 shall stand quashed. Consequently connected Miscellaneous Petition No.1 of 2015 is closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To

1. Regional Passport Officer
Bharathi Ula Veethi
Race Course Road,
Madurai.
2. The Inspector of Police,
Tirunelveli Town police Station,
Tirunelveli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M. in SR.No. Sheik Abdullah, Advocate in SR.No.11458

Sm:24.03.2015:2P/5C:

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10.03.2015