



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.O.P.(MD)No.10519 of 2017

and

CRL. M.P.(MD)No.7204 of 2017

Mohammed Ibrahim : Petitioner/Sole Accused

-Vs-

1. State rep. by
Inspector of Police,
Athirampattinam Police Station,
Pattukottai Taluk,
Thanjavur District. : Respondent / Investigation
Agency

2. The Regional Passport Officer,
Municipal Water Tank Building,
W.B. Road,
Tiruchirappalli - 8. : Respondent / De-facto
Complainant

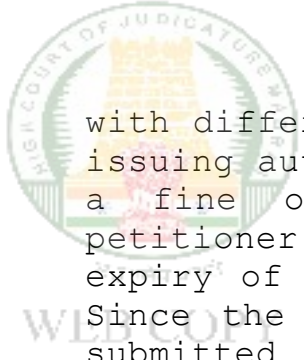
PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in and connected with FIR in Crime No.151 of 2014, dated 03.06.2014 on the file of the first respondent, quash the same.

For Petitioner : Mr.B.Sathish Sundar
For Respondent 1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For Respondent 2 : Mr.R.Arjunarajan

ORDER

This petition is filed to quash the First Information Report in Crime No.151 of 2014 dated 03.06.2014 on the file of the first respondent.

2The petitioner is the accused in the first information report. The learned counsel for the petitioner states that the petitioner is a resident of Athirampattinam, Pattukottai Taluk, Thanjavur District and that in connection with his business, he has also shown his address at Chennai as a place of business. The petitioner himself admitted that he had applied for passport and obtained earlier and that without renewing the first passport, he had obtained a second passport by disclosing the same identity



with different address. When this was pointed out by the passport issuing authority, it appears that the petitioner was imposed with a fine of Rs.5,000/- and it was duly collected from the petitioner. It is further stated by the petitioner that upon expiry of the passport, he submitted an application for renewal. Since the passport issuing authority wanted to verify the facts submitted and provided by the petitioner to the passport issuing authority, a communication has been sent by the second respondent to the first respondent to verify the particulars and to confirm identity so that the passport issuing authority will be in a position to accept or reject the application of the petitioner. Strangely, upon receipt of the communication which was intended to verify the particulars with regard to the petitioner's address and bio-data, a case has been registered in Crime No.151 of 2014 for offences under Section 466, 468, 471 and 420 I.P.C. read with Section 12 of Passport Act, 1967. When the information was received by the first respondent police, there is nothing for suspecting the information furnished by the petitioner in the application submitted before the second respondent. No offence is stated to have been found by the second respondent. The information is only for the purpose of verifying whether the bio-data and the particulars furnished by the petitioner before the second respondent is true or not. For the said purpose, it is not required for the first respondent to register a complaint for the offences under Section 466, 468, 471, 420 I.P.C. r/w. Section 12 of Passport Act, 1967. Absolutely, there was no information available to the first respondent to register a complaint for any offence. In these circumstances, this Criminal Original Petition is allowed and the first information report in Crime No.151 of 2014 before the first respondent is quashed. However, it is open to the first respondent to verify the details about the petitioner with regard to his residential address and other particulars for which the verification was required by the second respondent. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Athirampattinam Police Station,
Pattukottai Taluk,
Thanjavur District.

2. The Regional Passport Officer,
W.B. Road,
Tiruchirappalli - 8.



3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Arjunarajan, Advocate Sr.No.83125
+1cc to Mr.M.Ramasamy, Advocate Sr.No.82988

SRM

VB/JC/SAR1/06/11/2017/3P/6C

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