

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 28.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**Cr1.O.P. (MD) No.13425 of 2017**

Velukrishnan

...Petitioner

-Vs-

1. The Regional Passport Officer,
Bharathi Ula Veethi,
Race Court Road,
Madurai.
2. The Inspector of Police,
D2, Keelavalavu Police Station,
Madurai District.
(in Cr.No.18 of 2012)

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st respondent to return the petitioner's passport bearing Registration No.N2317892 dated 18.08.2015 issued by the 1st respondent's office forthwith with reference to the closure of the case in Cr.No.18 of 2012 on the file of the 1st respondent.

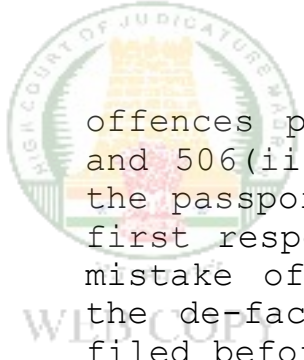
For Petitioner : Mr.P.Senguttarasan
For R1 : Mr.K.Anbarasan,
Government Advocate(Cr1. Side).

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to return the petitioner's passport bearing Registration No.N2317892 dated 18.08.2015 issued by the 1st respondent's office forthwith with reference to the closure of the case in Cr.No.18 of 2012 on the file of the 1st respondent.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the first respondent.

3.Based on the false complaint lodged against the petitioner and others, a case was registered in Cr.No.18 of 2012 for the



offences punishable under Sections 147, 148, 341, 447, 448, 323 and 506(ii) IPC. In this connection, the second respondent seized the passport of the petitioner and the same was handed over to the first respondent. After the investigation, the case was closed as mistake of fact on 20.08.2017 and RCS notice was also served on the de-facto complainant and the referred charge sheet was also filed before the Judicial Magistrate, Melur.

4.The learned counsel for the petitioner submitted that after closing the criminal case, the first respondent has no necessity to keep the passport of the petitioner. Hence the petitioner has come before this Court to direct the first respondent to return his passport.

5.Considering the facts and circumstances of this case, the first respondent is directed to return the passport of the petitioner bearing Registration No.N2317892, within a period of two weeks from the date of receipt of a copy of this order.

6.Accordingly, the Criminal Original petition is allowed.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Regional Passport Officer,
Bharathi Ula Veethi,
Race Court Road,
Madurai.
2. The Inspector of Police,
D2, Keelavalavu Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. P.SENGUTHARASAN, Advocate, SR.No.81440.

Cr1.O.P. (MD) No.13425 of 2017
28.09.2017