



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD) No.15227 of 2017

Sithiraisamy Rajendran

... Petitioner

Vs.

The Inspector of Police,
Narikkudi Taluk Police Station,
Virudhunagar District.
(Crime No.70 of 2015)

... Respondent

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Judicial Magistrate, Aruppukottai to dispose of the permission petition to be filed by the petitioner to go abroad within the stipulated time in C.C.No.21 of 2017.

For Petitioners
For Respondent

: Mr.T.A.Ebenezer
: Mr.A.Ramar,
Additional Public Prosecutor

ORDER

The Criminal Original Petition is filed to direct the learned Judicial Magistrate, Aruppukottai to dispose of the permission petition to be filed by the petitioner in C.C.No.21 of 2017, within the stipulated time by this Court.

2.Heard the learned Counsel for the petitioner and Mr.A.Ramar, learned Additional Public Prosecutor who takes notice for the respondent.

3.The learned Counsel for the petitioner stated that the petitioner has applied for passport through online on 29.08.2017, before the Passport Office, Madurai. Since a criminal case was pending, the application of the petitioner appears to have been withheld. Since the petitioner secured a job in abroad, he wants the permission from the learned Judicial Magistrate, Aruppukottai, so as to get passport application processed. As the petitioner believes that his application will not be numbered, even before filing the same, the petitioner has approached this Court.

4.The learned Counsel for the petitioner relied upon a judgment of this Court in the case of *P.Pandiganesan vs. The Inspector of Police*, in *Crl.O.P(MD)No.2566 of 2017*, wherein this Court, in



similar circumstances, has directed the lower Court to receive the application seeking permission to travel abroad and directed to pass appropriate orders.

5. Since the learned Counsel for the petitioner seeks similar orders from this Court in this petition, taking into consideration the earlier order passed by this Court in similar circumstances, this petition is allowed and the learned Judicial Magistrate, Aruppukottai is directed to receive the application seeking permission to travel to abroad and consider the same and pass appropriate orders, in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is open to the respondent to raise their objections, in case such application is filed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Aruppukottai.
2. The Inspector of Police,
Narikkudi Taluk Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr. T.A. Ebenezer, Advocate, SR.No.86454

cmr
RL/5C/2P/MR/KKR/SAR2/20/11/2017