

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on 22.02.2018
Date of Verdict : 26.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.22175 of 2017

Captain Sunil Kumar Rai

...Petitioner

Versus

The Assistant Commissioner of Police,
J.5, Shastri Nagar Police Station,
Adyar Range,
Chennai - 600 020.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to provide No Objection Certificate to renew the Passport of the petitioner bearing No.J9231282.

For Petitioner : Mr.B.Satish Sundar
for Mr.V.Sankar

For Respondent : Ms.P.Kritika Kamal
Government Advocate (Crl. Side)

ORDER

The prayer in the present petition is for a direction to the respondent to provide No Objection Certificate for renewal of the petitioner's passport bearing No.J9231282.

2.Heard Mr.B.Satish Sundar, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) for the respondent.

3.Today, this Court by an order in Crl.O.P.No.14494 of 2014, had quashed the proceedings in P.R.C.No.135 of 2013 on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai as against the petitioner herein/A8.

4.The only grievance of the respondent could have for denying to issue No Objection Certificate in view of the pendency of the criminal case in P.R.C.No.135 of 2013 on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai as against the petitioner herein. In view of the fact

that this Court had quashed the proceedings by its order passed in Crl.O.P.No.14494 of 2014, the respondent cannot have any objections to consider the petitioner's request.

5.In view of the same, the Criminal Original Petition stands allowed with a direction to the respondent to issue a No Objection Certificate for renewing the petitioner's passport bearing No.J9231282 by not citing the pendency of the case in P.R.C.No.135 of 2013 on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai as an impediment. However, in case, the respondent is of the view that the petitioner has come to their adverse notice in any other criminal case or there is other impediment for issuance of certificate, the same can be considered by them in accordance with law.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

DP
To

1. The Assistant Commissioner of Police,
J.5, Shastri Nagar Police Station,
Adyar Range,
Chennai - 600 020.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.22175 of 2017

GP(CO)
SP(03/07/2018)

सत्यमेव जयते

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