

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.1683 of 2018
and Crl.M.P.No.640 of 2018

Mohammed Ameen Abdul Azeez

... Petitioner

Vs

1. The Regional Passport Officer
Regional Passport Office,
Thiruchirappalli.

2. The Inspector of Police,
Sembanarkoil Police Station,
Nagapattinam District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to enclose Additional Pages in the petitioner's passport based on the second respondent's report.

For Petitioner : M/s.Greetha Senthil Kumar

For Respondents : Mr.J.Madanagopal Rao for R1
Ms.P. Kritika Kamal
Govt.Advocate (Crl.side) for R2

O R D E R

The prayer in the present petition is for a direction to the Regional Pass Port Officer, Tiruchirapalli to enclose additional pages in the petitioner's Pass Port No.H 3588556 based on the second respondent's report.

2. The learned counsel for the petitioner submitted that there are no criminal case pending against the petitioner and the first respondent has not issued the additional pages to the petitioner's Passport thereby depriving him from travelling abroad for the purpose of his job.

3. The learned Standing Counsel appearing for the first respondent on the other hand submitted that by letter dated 28.03.2017 it was informed to the petitioner that a criminal

case was pending against the petitioner herein and no explanation has been received from the petitioner in this regard. However, it is seen that by report dated 07.08.2017 the second respondent had given a certificate stating that there are no criminal case pending as against the petitioner herein as per the CCTNS.

4. It is needless to point out that it is the fundamental right of the petitioner to leave the country and the pendency of the criminal case may not disentitle him from travelling abroad, subject to any other report, circular or other order preventing him from travelling abroad. In the instant case it is seen from the report of the second respondent dated 07.08.2017 that there are no criminal case pending as against the petitioner. As such there can be no impediment for the first respondent to accept the request of the petitioner herein.

5. At this juncture the learned Standing Counsel for the first respondent submitted that as per the present procedure the additional pages are not being issued but on the other hand the petitioner is required to submit an application for a fresh Passport and if found eligible, such a pass port will be issued to him.

6. In the light of the above observations, the petitioner is granted liberty to approach the first respondent seeking for a fresh Passport/additional pages of his old Passport and on receipt of such a representation the first respondent shall pass appropriate orders on its own merits. Such an exercise shall be made within a period of four weeks from the date of receipt of such a representation from the petitioner.

7. With the above observations this criminal original petition is allowed. Consequently connected miscellaneous petition is also closed.

Sd/-

सत्यमेव जयते
Assistant Registrar CS III

//True Copy//

Sub Assistant Registrar

dpq

To

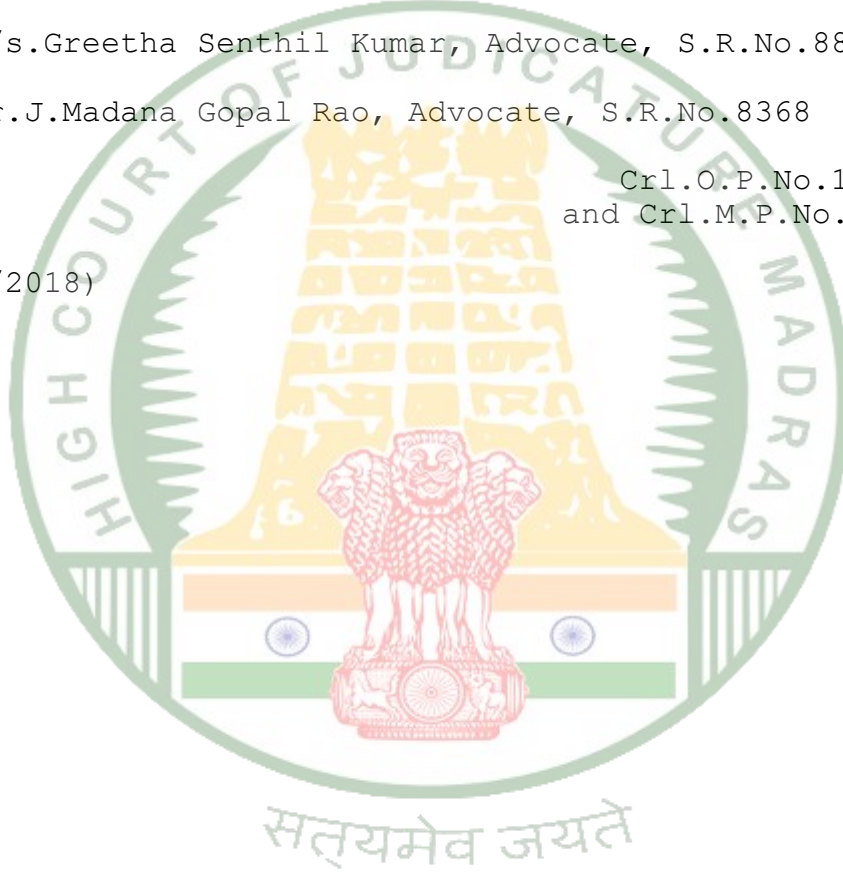
1. The Regional Passport Officer
Regional Passport Office,
Thiruchirappalli.
2. The Inspector of Police,
Sembanarkoil Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Greetha Senthil Kumar, Advocate, S.R.No.8842

+1cc to Mr.J.Madana Gopal Rao, Advocate, S.R.No.8368

CrI.O.P.No.1683 of 2018
and CrI.M.P.No.640 of 2018

GJ(CO)
RRK(27/02/2018)



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