



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P. RAJAMANICKAM

Crl.O.P.(MD) No.15830 of 2016

Periyasamy

... Petitioner

-Vs-

- 1.The Superintendant of Police,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
- 3.The Regional Passport Officer,
Passport Office,
Water Tank Building,
West Bouliward Board,
Thiruchirappalli.

4.Sundaramoorthy

... Respondents

Prayer: This Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 to 3 to take appropriate action to impound the passport of the 4th respondent till the disposal of the case in C.C.No.61 of 2014 on the file of the learned Judicial Magistrate, Pattukkottai, Thanjavur District.

For Petitioner	: Mr. S. Deenadhayalan
For R1 and R2	: Mr. K. Anbarasan
	Government Advocate (Crl. Side)
For R3	: Mr. G. Rajaraman
For R4	: No appearance

O R D E R

This petition has been filed by the de-facto complainant to direct the respondent nos. 1 to 3 to take appropriate action to impound the passport of the fourth respondent till the disposal of the case in C.C.No.61 of 2014, on the file of the learned Judicial Magistrate, Pattukkottai, Thanjavur District.



2. The learned counsel appearing for the petitioner submitted that on 29.09.2013 at about 4.00 p.m., the fourth respondent and his father attacked the petitioner with deadly weapons and caused grievous injuries to him. He further submitted that based on the complaint given by the petitioner, a case was registered in Crime No.117 of 2013 by the second respondent and after investigation, a charge sheet has been filed for the offences under Sections 294 (b), 326 and 506(ii) of IPC. He further submitted that the learned Judicial Magistrate, Pattukkottai has taken a case on file in C.C.No.61 of 2014 and the same is still pending. He further submitted that in order to protract the criminal case, the fourth respondent is trying to go abroad and hence, the petitioner has sent a representation to the third respondent to impound the passport of the fourth respondent, but, the third respondent has not taken any steps to impound the passport.

3. The learned Government Advocate (Crl. Side) appearing for the respondent nos. 1 and 2 has not raised any objection.

4. The learned counsel appearing for the third respondent has submitted that unless the particulars such as father's name and the Date of Birth of the passport holder is furnished, it is not possible to impound the passport. He further submitted that if those particulars are furnished, the third respondent is ready to impound the passport of the fourth respondent.

5. Though the notice has been served on the fourth respondent, the fourth respondent not appeared.

6. In the aforesaid circumstances, this Court is inclined to pass the following directions:-

"The petitioner is directed to furnish the required particulars to the third respondent within a period of three weeks from the date of receipt of a copy of this order and thereafter, the third respondent is directed to take appropriate action for impounding the passport of the fourth respondent within a period three weeks."

7. With the above directions, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar



To

1.The Superintendant of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

3.The Regional Passport Officer,
Passport Office,
Water Tank Building,
West Bouliward Board,
Thiruchirappalli.

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

+1cc to Mr.S. Deenadhayalan, Advocate Sr.No.40140

+1cc to Mr.G. Rajaraman, Advocate Sr.No.40137

TRP

VB/JC/SAR3/12/01/2018/3P/7C

Cr1.O.P.(MD) No.15830 of 2016
03.01.2018