

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.03.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2627 of 2016

P.R.Vasudevan

... Petitioner

Vs.

State rep. by:
Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate No.II, Hosur to take on file in Cr.M.P.Sr.No.6688 of 2015 filed by the petitioner, which was returned on 03.07.2015 and issue a no objection certificate enabling the petitioner to get passport.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed to direct the learned Judicial Magistrate No.II, Hosur to take up the application filed in Cr.M.P.Sr.No.6688 of 2015, which was returned on 04.07.2015 and issue no objection certificate enabling the petitioner to get passport.

2.It is seen that a criminal proceedings is pending as against the petitioner in Crime No.29 of 2007 and the same is pending. In the meanwhile, the petitioner submitted an application before the Regional Passport authorities, Chennai, who in turn directed the petitioner to obtain "No objection Certificate". Hence, the petitioner filed a petition before the learned Judicial Magistrate No.II, Hosur, seeking for "No objection certificate". However, the learned Magistrate returned the application stating that "this Court has no right to issue No objection certificate for getting passport". Hence, the petitioner has filed the present petition with the aforesaid prayer.

3.The learned Additional Public Prosecutor submitted that a case in Crime No.29 of 2007 is pending as against this petitioner.

4.Heard both sides.

5.Considering the facts and circumstances of the case and also considering that the criminal case is of the year 2007, the respondent police is directed to complete the investigation and file a final report within three months from the date of receipt of copy of this order. The petitioner is at liberty to approach the trial Court for the relief sought for in this petition.

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

Sd/-

Assistant Registrar(CS AD IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
2. The Judicial Magistrate No.II,
Hosur.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2627 of 2016

AK(CO)

RRS(10/05/2019)

सत्यमेव जयते
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