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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2019

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.33256 of 2019

R.Mohamed Hakkim

..Petitioner

vs.

1.The Regional Passport Officer,
Chennai Royala Towers,
No.2 and 3, IV floor, Old No.785,
New No.158, Anna Salai,
Chennai - 600 002.

2.The Deputy Commissioner of Police,
Central Crime Branch (CCB)
No.132, Commissioner Officer Buildings,
EVK Sampath Road, Vepery,
Chennai - 600 007.

.. Respondents

Prayer: Writ Petition filed under Article 226 of The Constitution of India praying to issue Writ of Mandamus, directing the first respondents 1 and 2 to consider the representation of the petitioner dated 14.11.2019 and process the application for passport submitted by the petitioner dated 04.07.2019.

For Petitioner : Mr.S.Sai Sathyajith

For Respondents: Mr.N.Inbanathan

Additional Government Pleader for R2

Mr.V.Ashok Kumar for R1

O R D E R

The writ petition has been filed seeking the passport on the basis of representation dated 04.07.2019. It is stated that the petitioner was facing charges under Sections 420, 465 & 468 read with 120 (B) IPC in Crime No.218 of 2010.

2. It is further stated in the counter affidavit filed by the second respondent namely the Deputy Commissioner of Police, Central Crime Branch that the



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petitioner was an accused in CC.No.4658 of 2019, wherein final report has been filed showing the petitioner as an absconding accused. It is stated that the matter is now posted to 09.01.2020. It is also stated that even if no objection certificate is given, the petitioner may flee from country and the petitioner must subject himself to the judicial proceedings and also give undertaking before the said Court that he would not avoid participating in the judicial proceedings. Without these conditions being satisfied, the present request of the petitioner cannot be granted by this Court.

3. Accordingly, the writ petition stands dismissed by granting opportunity to approach the trial Court. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Pns
To

1.The Regional Passport Officer,
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+1 cc to Government Pleader Sr.No. 106247

W.P.No.33256 of 2019

A.SK(31/01/2020)