



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.04.2019
CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

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Crl.O.P. (MD)No.4645 of 2019
and
Crl.M.P. (MD)No.3324 of 2019

C.Somasundaram

... Petitioner

-Vs-

1. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.
(In Crime No.5 of 2018)

2. The Regional Passport Authority,
Regional Passport Office,
Chennai Royala Towers Nos.2 & 3,
4th Floor, Old No.785, New No.158,
Anna Salai, Chennai-600 002.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying, to grant permission to the petitioner to go abroad from 01.04.2019 to 31.03.2020 and direct the first respondent to issue No Objection to the second respondent for the renewal of the petitioner's Passport in Passport No.H2540140 and so as to enable the petitioner to switch on to abroad, pending disposal of the Criminal Original Petition.

For Petitioner	: Mr.S.Madhavan
For R1	: Mr.A.P.G.OHM Chairma Prabhu, Government Advocate (Crl.Side).
For R2	: Mr.V.Kathirvelu, Assisted by Mr.K.Kutralanathan

ORDER

The present petition is filed seeking permission of the Court to go abroad from 01.04.2019 to 31.03.2020 and to direct the first respondent to issue No Objection to the second respondent for the renewal of the petitioner's Passport in Passport No.H2540140.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been arrayed as fourth accused in Crime No.5 of 2018 for the offences under Sections 498(A), 294(b), 405, 506(1), 354D IPC and Section 4 of TN Prohibition of Harassment of Woman Act, 2002 and Section 4 of Dowry Prohibition Act, 1961. He added that the prime allegation is against the petitioner's brother, who is the husband of the defacto complainant. The petitioner has been



unnecessarily roped in as has been routinely done in all matrimonial causes.

3. Heard the learned Government Advocate (Crl.Side) for the first respondent.

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4. The learned counsel for the petitioner submitted that this Court has stayed the trial in Crl.O.P.(MD)No.2801 of 2019 on 20.02.2019. Therefore, the said matter is pending.

5. Mere pendency of the criminal case is not a bar for a citizen to travel abroad. However, it is necessary to ensure that the petitioner does not take permanent flight beyond the paramountcy of Courts. Therefore, this Court directs the petitioner to approach the learned Judicial Magistrate, Additional Mahila Court, Trichy whereupon the learned Magistrate may pass appropriate orders to ensure that not only the petitioner undertakes to travel but also to ensure that he continues to submit to jurisdiction of the Court without any default. The learned Magistrate is also directed to hear the Regional Passport Authority in the said matter.

6. In the result, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Additional Mahila Court, Trichy.
2. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to MR.K.KUTTALANATHAN, Advocate (SR-63128[F] dated 26/04/2019)

+1 CC to MR.S.MADHAVAN, Advocate (SR-63202[F] dated 27/04/2019)

+1 CC to MR.B.SARAVANAN, Advocate (SR-63533[F] dated 27/04/2019)

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26.04.2019