



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.345 of 2020

Sajikarunakaran

... Petitioner / Accused No.1

Vs.

1.The Regional Passport Officer,
The Regional Passport Office,
Madurai Region,
Bharathi Ula Road,
Race Course Colony,
Madurai - 625 002.

2.State through
The Deputy Superintendent of Police,
Thuckalay Sub Division,
Kanyakumari District.
(Cr.No.48 of 2010 of Kaliyakkavilai
Police Station)

... Respondent / Defacto
Complainant

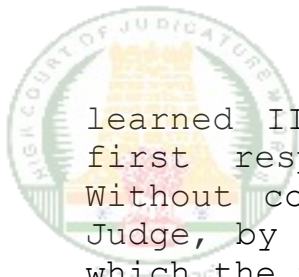
Prayer : This Criminal Revision is filed under Section 397 of Criminal Procedure Code, to call for the records pertaining to the order, dated 03.10.2019 passed in Crl.M.P.No.1876 of 2019 in S.C.No.111 of 2018 on the file of the II Additional Sessions Court, Tirunelveli and to set aside the same and direct the 1st respondent to renew his passport bearing No.Z-3249092.

For Petitioner	: Mr.S.C.Herold Singh
For R1	: Mr.K.Prabhu
For R2	: Mr.P.Kottaichamy
	Counsel for State Government (Crl.side)

O R D E R

This petition is filed to set aside the order passed in Crl.M.P.No.1876 of 2019 in S.C.No.111 of 2018 on the file of the II Additional Sessions Court, Tirunelveli and to direct the first respondent to renew his passport bearing No.Z-3249092.

2.The learned counsel appearing for the petitioner submitted that the petitioner has filed a petition in Crl.M.P.No.1876 of 2019 under Section 451 of Cr.P.C. before the



learned II Additional Sessions Judge, Tirunelveli to direct the first respondent to renew his passport bearing No.Z-3249092. Without considering the grievance of the petitioner, the learned Judge, by order, dated 03.10.2019 has dismissed the same. Against, which the petitioner is before this Court.

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3.P.Kottaichamy, learned counsel for State Government (Crl. side) has strongly opposed to allow this petition.

4.Heard the learned counsel appearing on either side and perused the materials available on record.

5.It is seen from the records that the passport No.Z3249092, dated 07.07.2015 had obtained by the petitioner from the office of the first respondent by suppressing the criminal case pending against him. Hence, the passport of the petitioner has been impounded by the first respondent under Section 10(3)(b), 10(3)(e) and 10(3)(g) of Indian Passports Act, 1967. Hence, this petition is not maintainable.

6.Considering the above fact, the trial Court has rightly dismissed the petition filed by the petitioner.

7.Accordingly, this Criminal Revision Case is dismissed with liberty to file a petition before the concerned Passport Authority.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsd

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The II Additional Sessions Court,
Tirunelveli.



2.The Regional Passport Officer,
The Regional Passport Office,
Madurai Region, Bharathi Ula Road,
Race Course Colony,
Madurai - 625 002.

3.The Deputy Superintendent of Police,
Thuckalay Sub Division,
Kanyakumari District.

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

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-24533[F] dated
29/07/2021)

Crl.R.C (MD) No.345 of 2020
29.07.2021

NSN (CO)
SB(15.09.2021) 3P 6C