



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No. 19058 of 2021

Sathesh

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Usilampatti Division,
Madurai District.

2.The Inspector of Police,
Sindhupatti Police Station,
Madurai District.
(Crime No.69 of 2015)

3.The Regional Passport Office,
Madurai Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents No.1 and 2 to issue a certificate of termination of the proceedings in Crime No.69 of 2015 on the file of the second respondent to the petitioner.

For Petitioner : Mr.R.Venkateswaran

For Respondents : Mr.M.Veeranthiran

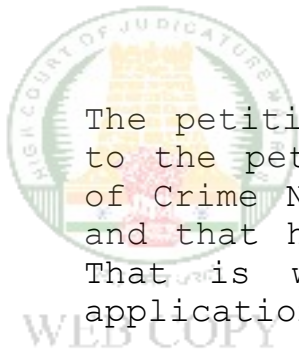
Government Advocate (Crl Side)
for R1 & R2

Mrs.L.Victoria Gowri
Assistant Solicitor General
of India for R3

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondents 1 and 2 and the learned Assistant Solicitor General of India for the third respondent.

2. The petitioner submitted an application to the third respondent for renewal of his Passport. The petitioner's Passport was also renewed. Thereafter, the third respondent issued notice to the petitioner, calling upon to him to explain as to why he did not appear before the third respondent for the pendency of security proceedings against him.



The petitioner had taken time to give his explanation. According to the petitioner, he was absolutely unaware of the registration of Crime No.69 of 2015 on the file of Sindhupatti Police Station and that he never received any notice from the first respondent. That is why he could not disclose the same in his renewal application.

3. Be that as it may, it is seen that Crime No.69 of 2015 was registered only under Section 107 Cr.P.C and thereafter, the second respondent forwarded the same to the first respondent. Even today, the stand of the first respondent is that they had issued summons to the petitioner and there is no response from the petitioner and that it is still pending. But, the stand of the petitioner is that he never received summons from the first respondent. Even today, the respondents are unable to show any proof of service on the petitioner. Be that as it may, the very object of initiating security proceedings is to prevent imminent danger to public tranquility. The security proceedings initiated in 2015 cannot be kept pending for six years. I therefore, direct the first respondent to terminate the security proceedings forthwith and also issue a certificate that no security proceedings are pending against the petitioner, within 14 days from the date of receipt of copy of this order. It is for the petitioner to give appropriate explanation to the third respondent in the light of the order now passed in this Criminal Original Petition. It is for the third respondent to give an appropriate disposal to the notice issued against the petitioner. This Criminal Original Petition is disposed of, accordingly.

Sd/-

Assistant Registrar (CS III)

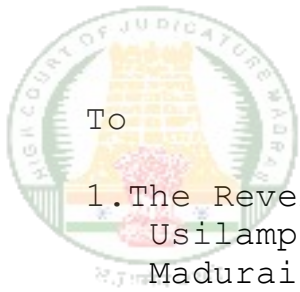
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/ /2021

Sub Assistant Registrar (CS)

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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 Revenue Divisional Officer,
Usilampatti Division,
Madurai District.

2.The Inspector of Police,
Sindhupatti Police Station,
Madurai District.

3.The Regional Passport Office,
Madurai Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.

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

+1 CC to M/s.R.VENKATESWARAN, Advocate (SR-37969[F] dated
09/12/2021)

**Crl.O.P. (MD)No.19058 of 2021
07.12.2021**

PK(CO)
SB(17.12.2021) 3P 6C