



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.19803 of 2021 and

CRL.M.P.(MD)No.11129 of 2021

Jayakumar

... Petitioner / Accused No.1

Vs.

1. State rep. By,
The Inspector of Police,
Vathalai Police Station,
Vathalai,
Trichy District.

... Respondent No.1 /
Complainant

2. Bhuvaneswari,
D/o.not known,
Village Administrative Officer,
Sirugampur West,
Trichy District.

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in First Information Report in Crime No.113 of 2018 dated 10.08.2018 on the file of the first respondent and quash the same as against accused No.1 as illegal.

For Petitioner : Mr.S.Krishnan
For R-1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed to quash the impugned First Information Report.

3. It appears that the reason for filing this criminal original petition is that on account of the pendency of the impugned First Information Report, the petitioner is not being issued with passport. It is well settled that mere pendency of the First Information Report is not the ground for denial of issuance of passport. Only if the case had been charged sheeted and also taken on file, then the petitioner has to move the jurisdictional Court for getting relief. In this case, if the final report has not been filed and the case is pending at the First Information



Report stage, the jurisdictional passport officer cannot decline to issue the passport.

4. With these observations, this criminal original petition is disposed of.

WEB COPY

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Inspector of Police,
Vathalai Police Station,
Vathalai,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**Crl.O.P. (MD)No.19803 of 2021
14.12.2021**

TSK(CO)
SB(04.01.2022) 2P 3C