



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fifth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.10077 of 2022
IN
WP(MD) No.14111 of 2022

IBRAHIM ALI

... PETITIONER/PETITIONER

Vs

1 THE REGIONAL PASSPORT OFFICER
ROYALA TOWERS NO.2 AND 3, IV FLOOR,
OLD NO.785, NEW NO.158, ANNA SALAI,
CHENNAI, TAMIL NADU - 600 002.

2 THE CHIEF IMMIGRATION OFFICER,
SHASTRI BHAVAN ANNEX BUILDINGS,
20, HADDOWS ROAD, NUNGAMBAKKAM,
CHENNAI - 625 006.

3 THE STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SIVAGANGAI,
SIVAGANGAI DISTRICT.

... RESPONDENTS/RESPONDENTS

(*) 4 O.S.H.HAJARAL BEGUM

... 4th RESPONDENT

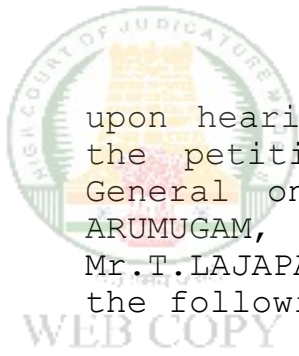
**(*) R4 SUO MOTU IMPLEADED AS PER
ORDER OF THIS COURT DATED
04/07/2022 IN WP(MD) .No.14111/2022
BY GRSJ.**

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to travel to Malaysia by Indigo Flight booked on 28.06.2022 departing from Anna International Airport, Chennai on 13.07.2022.

Prayer in WP(MD) . 14111/ 2022 :

To issue a Writ or any other order or direction in the nature of Writ of Mandamus forbearing the respondents from restraining the petitioner from travelling abroad by citing the pendency of FIR in Crime No.13 of 2020 on the file of the 3rd respondent.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and



upon hearing the arguments of M/S.ANTONY ARUL RAJ.T, Advocate for the petitioner and of M/s.L.VICTORIA GOWRI, Assistant Solicitor General on behalf of the Respondents No.1 & 2 and Mr.N.RAMESH ARUMUGAM, Government Advocate for the 3rd Respondent and Mr.T.LAJAPATHI ROY, Advocate for the 4th Respondent, the court made the following order:-

Heard the learned counsel on either side.

2.I had an interaction over Whatsapp video call with the defacto complainant / O.S.H.Hajaral Begum. She stated that since a criminal complaint was filed against the family, she was forced to sign in the settlement agreement. I do not want to go into the said aspect. Suffice it to say that the writ petitioner who appears in person before me states that the complaint lodged against his wife and other members before Ilaiyankudi Police Station, Sivagangai District, will not be pursued. This undertaking given by the petitioner is placed on record. The petitioner also states that his brother has valuable property at Erukancheri near Chennai. The petitioner's brother - Nainar Mohammed shall file an affidavit before this Court undertaking that this Court can proceed against the said property in the event of the petitioner not returning to India. Such an affidavit will be filed by the petitioner's brother along with photocopy of the title document on or before 11.07.2022. A copy of the affidavit along with the photocopy of the title document will be served on the counsel for the defacto complainant. It is stated by the petitioner that the said property has not been encumbered. The petitioner informs the Court that he is an Indian Passport holder. He is going to Malaysia only on a tourist visa which is valid only for 28 days. He has also booked the return ticket and he will return to India on 22.07.2022.

3.In view of the said undertaking given by the petitioner, the petitioner is permitted to travel to Malaysia on 13.07.2022. This Writ Miscellaneous Petition is allowed on these terms. Ms.O.S.H.Hajaral Begum is also impleaded as fourth respondent. Mr.T.Lajapathy Rai, the learned counsel takes notice for the impleaded respondent. Call this case on 26.07.2022.

sd/-

05/07/2022

/ TRUE COPY /

06/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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SIVAGANGAI DISTRICT.

+1 cc to Mr.T.ANTONY ARUL RAJ, Advocate, SR.No.6678

ORDER

IN

WMP (MD) No.10077 of 2022
IN

WP (MD) No.14111 of 2022

Date :05/07/2022

SA/PN/SAR.4/06.07.2022/3P/5C