



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2022

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P (MD)No.9744 of 2018

Selvi

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.

3.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

4.Bhoopathy Manavaalan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the third respondent to impound the passport of the fourth respondent till the completion of the criminal case in Crime No.19 of 2018, on the file of the second respondent by considering the representation of the petitioner, dated 10.04.2018 within a time as may be fixed by this Court.

For Petitioner
For R1 & R2

: Mr.R.Pon Karthikeyan
: Mr.A.Thiruvadikumar
Additional Public Prosecutor

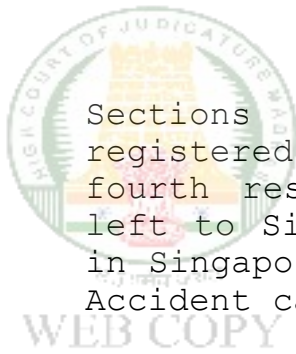
For R3
For R4

: Mr.G.Rajaraman
Notice returned unserved

ORDER

This writ petition has been filed seeking mandamus to impound the Passport of the fourth respondent, who is an accused in Cr.No.19 of 2018, on the file of the second respondent police.

2. According to the petitioner, her husband died in a road accident on 24.03.2018 and the case has been registered against the fourth respondent in Cr.No.19 of 2018 for the offences under



Sections 279 and 304(A) of IPC. Though the case has been registered, there is no progress in the investigation. Since the fourth respondent after causing accidental death of Moorthy, had left to Singapore and also taking steps to get permanent residence in Singapore, in order to evade from the criminal case and the Motor Accident case initiated against him.

3. This Court finds that impounding the Passport of the Indian Citizen for the said reason is not permissible under law. The prayer sought in the writ petition is not maintainable. However, it is brought to the notice of this Court that the police has not completed the investigation in Cr.No.19 of 2018. If it is so, the same has to be completed within a period of three months from today and final report to be filed before the appropriate Court.

4. With this observation, the writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.
- 3.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-4021[F] dated
03/02/2022)

W.P(MD)No.9744 of 2018
02.02.2022

SJ(CO)
KB(15.02.2022) 2P 5C