



W.P(MD)No.151 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.151 of 2023

Baskar

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli-620 018.

2.The Inspector of Police,
Perugavazhnthan Police Station,
Perugavazhnthan,
Tiruvarur Distirct.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to reissue passport bearing No.J6361820 to the petitioner by processing his application in File No.TR1074308636522 based on the explanation / representation dated 24.12.2022 within a time limit stipulated by this Court.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.D.Saravanan
Central Government Standing Counsel for R1
: Mr.B.Thanga Aravindh
Government Advocate (Crl.side) for R2



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ORDER

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Heard the learned counsel on either side.

2.The petitioner seeks re-issuance of passport. Apprehending that his application may not be processed, this writ petition has been filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) for the second respondent filed counter affidavit and the following details are given:-

S.No.	Crime No. & Offence	Police Station	Stage
1.	Crime No.20 of 2013, U/s. U/s.147, 148, 294(b), 307, 324, 341 506(ii) of IPC @ U/s. 294(b), 307, 506(ii) of IPC	Perugavazhnthan	Charge sheeted and not taken on file
2.	Crime No.34 of 2013, U/s. 107 of IPC	Perugavazhnthan	Disposed
3.	Crime No.126 of 2015, U/s. 143, 188, 341 of IPC	Perugavazhnthan	Disposed
4.	Crime No.114 of 2019, U/s. 379 of IPC	Perugavazhnthan	Under Investigation
5.	Crime No.518 of 2020, U/s. 21(1) of MMDR Act	Perugavazhnthan	Under Investigation



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4.The cases registered against the petitioner are pending at the FIR stage.

The petitioner is aware that he is figuring as accused in the said cases. The petitioner shall furnish his address details with the second respondent including his E-mail. The petitioner gives an undertaking before this Court that if any final report is filed against the writ petitioner and the same is taken on file, on intimation from the second respondent, he shall enter appearance before the jurisdiction Criminal Court. In other words, the petitioner gives an undertaking that on account of his absence from India, the proceeding will not be stalled. I make it clear that if this undertaking is breached, the petitioner will be liable for consequences of contempt proceedings also.

4.Recording the undertaking of the petitioner, the first respondent is directed to process the petition mentioned application and issue passport to the writ petitioner, if there is any other impediment and subject to fulfilment of other usual formalities.

5.The writ petition is allowed accordingly. No costs.

27.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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