



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.11244 of 2023

Rajadurai

... Petitioner

vs.

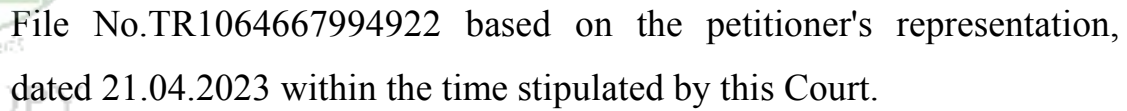
1.The Regional Passport Officer,
Government of India Ministry of External Affairs,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirapalli – 620 018.

2.The Passport Seva Kendra Officer (Thanjavur),
New No.201/7D, Old No.201/7,
Medical College Road,
Next to Kumaran Cinema Theatre,
Thanjavur – 613 007.

3.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.
(Cr.No.558 of 2020)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first and second respondents to issue passport to the petitioner basis on his application



The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the first respondent to issue passport to the petitioner on the basis of application in File No.TR1064667994922, which was applied on 21.04.2023.

2. Heard Ms.A.Banumathy, learned Counsel for the petitioner, Mr.Su.Srinivasan, learned Counsel for the first and second respondents and Mr.D.S.Nedunchezian, learned Government Advocate for the third respondent.

3. When the petitioner had applied the aforementioned application, it was informed to the petitioner by the first respondent that an FIR had been registered against the petitioner in Cr.No.558 of 2020 by the third



respondent/Inspector of Police, Karambakudi Police Station, Pudukottai District.

4.The learned Government Advocate for the third respondent stated that the issue is still under the FIR stage and investigation had not been completed.

5.Merely because, the name of an individual is arrayed in an FIR, that cannot imply that the said person has actually committed the offence. The presumption of innocence runs through the criminal jurisprudence of this country. There is no impediment to grant passport to the petitioner herein.

6.A direction is given to the first respondent to process further the aforementioned application of the petitioner herein and get necessary clarification, if any, from the petitioner regarding the aforementioned FIR and if the petitioner is otherwise eligible, proceed to issue passport to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.



WEB COPY 7.The Writ Petition stands disposed of. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No
cmr

09.06.2023

To

The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.11244 of 2023

09.06.2023