



**W.P.(MD).No.12908 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 12.06.2023**

**CORAM:**

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

**W.P.(MD).No.12908 of 2023**

**N.Uthaya**

**... Petitioner**

*Vs.*

1.The Regional Passport Officer,  
Regional Passport Office,  
Chennai Royala Towers No.2 and 3,  
IV Floor, Old No.785, New No.158,  
Anna Salai, Chennai-600 002.

2.The Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.

**...Respondents**

**PRAYER** : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to issue the passport to the petitioner on his application dated 02.05.2023 in File No.MA 3075319410523 of the first respondent based on the representation of the petitioner dated 21.05.2023 in a time bound manner.

**For Petitioner : Mr.D.Senthil**

**For Respondents : Mr.S.Pon Senthil Kumar  
Special Government Pleader for R1**



**W.P.(MD).No.12908 of 2023**

Mr.N.Muthu Vijayan  
Special Government Pleader for R2

### **ORDER**

This Writ Petition has been filed in the nature of a writ of Mandamus, seeking a direction to the first respondent to issue passport to the petitioner.

2. The petitioner was informed that F.I.R in Crime No.233 of 2022 had been registered against him for the offences punishable under Sections 341, 323 and 506(ii) IPC by the second respondent.

3. It is stated by the learned Special Government Pleader appearing for the second respondent that the final report had been filed before the learned Judicial Magistrate, Kadaladi.

4. Let the necessary permission be obtained from the said Judicial Magistrate. I am confident that the said Judicial Magistrate would view the matter in the manner known to law and would take a considered decision on the application made by the petitioner herein. It is to be noted



**W.P.(MD).No.12908 of 2023**

WEB COPY

that presumption of innocence runs through criminal jurisprudence of this country and no person can be termed as offender of the crime till he is convicted. In this case, the petitioner has not yet been convicted.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

**12.06.2023**

Index: Yes/No  
Internet: Yes/No  
ssb

To

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**W.P.(MD).No.12908 of 2023**

**C.V. KARTHIKEYAN, J.**

ssb

**W.P.(MD).No.12908 of 2023**

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