



W.P(MD)No.16490 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16490 of 2015

V.Dhinesh Kumar

... Petitioner

Vs

1.The Passport Officer,
Government of India,
Ministry of External Affairs,
Passport Office,
W.B.Road,
Tiruchirappalli – 628 008.

2.The Inspector of Police,
All Women Police Station,
Srirangam,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to return the petitioner's original passport bearing No.H5613546.

For Petitioner : No Appearance

For Respondents : Mr.P.Paul Pandi for R.1



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Mrs.K.Christy Theboral
Additional Government Pleader for R.2

ORDER

None appears for the writ petitioner.

2. The first respondent has filed counter affidavit. The learned Additional Government Pleader appearing for the second respondent submitted that the petitioner was shown as accused in Crime No.16 of 2014 registered on the file of the second respondent. It was a matrimonial complaint. The petitioner was arrested and charge sheeted. However, the case was ended in acquittal on 22.11.2018 in C.C.No.33 of 2015 on the file of Additional Mahila Court, Thiruchirappalli. The matter appears to have been compromised. The judgment of acquittal has become final.

3. In the year 2014 itself, the second respondent had deposited the petitioner's Passport before the Additional Mahila Court, Thiruchirappalli. The petitioner had taken it back and in the proceedings initiated by the first respondent, the passport was surrendered on 05.02.2015 itself. Since, the criminal case has been ended in acquittal, there cannot be any justification in not returning the passport. If the Passport has already not been returned to the



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petitioner, it is open to the petitioner to approach the first respondent and collect the Passport back.

4. This writ petition is allowed on these terms. There shall be no order as to costs.

18.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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Tiruchirappalli – 628 008.
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G.R.SWAMINATHAN, J.

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