



WEB COPY



Writ Petition No.5353 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.5353 of 2024

Vinod Sharma

S/o.Vishnu Sharma

... Petitioner

vs.

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

2.State represented by
Inspector of Police,
Central Crime Branch - I,
Vepery, Chennai - 600 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second police to return the petitioner's passport bearing No.POO81870, to the petitioner based on his representation dated 20.01.2024 in order to enable the petitioner to travel abroad.

For Petitioner : Mr.K.Rohith

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



Writ Petition No.5353 of 2024

ORDER

WEB COPY

This writ petition has been filed for a direction to the respondent police to return back the passport of the petitioner based on the representation made by the petitioner on 20.01.2024.

2. Learned Additional Public Prosecutor, on instructions, submitted that the First Information Report was registered in Crime No.39 of 2023. The petitioner was arrayed as A6 in this case. The Look Out Circular was issued against the petitioner and he was secured and the petitioner himself, through letter dated 09.07.2023, promised that he will co-operate for the investigation and he also handed over his passport to the second respondent.

3. It was also brought to the notice of this Court that the petitioner also filed an application seeking for anticipatory bail and since the condition imposed was not complied with, the anticipatory bail petition was also dismissed on 19.09.2023 in CrI.O.P.No.7837 of 2023.



Writ Petition No.5353 of 2024

WEB COPY

4. In the light of the above development, there is no question of respondent police handing over the passport of the petitioner. At the same time, the police cannot also retain the possession of the passport since they do not have such powers. Hence, there shall be a direction to the second respondent to deposit the passport before the Additional Metropolitan Magistrate dealing with CCB & CBCID cases, Egmore, Chennai, within a period of one (1) week from the date of receipt of a copy of this order. Thereafter, it is left open to the petitioner to work out his remedy in the manner known to law.

This Writ Petition is disposed of in the above terms. No costs.

04.03.2024

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order
gm



WEB COPY



Writ Petition No.5353 of 2024

N. ANAND VENKATESH, J

gm

To

- 1.The Regional Passport Officer,
Royala Towers No.2 and 3, IV Floor,
Old No.785, New No.158, Anna Salai,
Chennai, Tamil Nadu - 600 002.
- 2.The Inspector of Police,
Central Crime Branch - I,
Vepery, Chennai - 600 007.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Writ Petition No.5353 of 2024

04.03.2024