



Crl.O.P.No.5964 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.5964 of 2025

Sundar

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Petitioner

Vs

1.State rep by its,
Inspector of Police,
Valangaiman Police Station,
Thiruvarur District.
(Cr.No.444 of 2019)

2.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
Thiruchirappalli – 620 008.

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Respondents

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the returned docket (unnumbered petition) with SR No.526 of 2023 (on the file of the District Munsif cum Judicial Magistrate at Valangaiman) petition to be entertain and number the petitioner.

For Petitioner : Mr.M.V.Dinaker

For R1 : Mr.A.Gopinath
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed challenging the docket order of the District Munsif cum Judicial Magistrate, Valangaiman, thereby returned the application as not maintainable.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner filed an application seeking a direction to the second respondent herein to re-issue/renew the petitioner's passport. The petitioner is an accused in Crime No.444 of 2019, registered for the offence under Section 66A of Information Technology Act and 506(2) of IPC, alleging that the petitioner created a fake Facebook and Instagram account in the name of the defacto complainant and uploaded private photos of the defacto complainant in order to take vengeance against her. Though FIR was registered in the year 2019, there has been no further progress in the complaint. Pursuant to the registration of the FIR, passport was not renewed due to the pendency of the FIR. During the police verification, it was found that the FIR was still pending, and thus,



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the passport renewal was refused The petitioner's passport got expired in

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4. In view of the above, the mere pendency of the FIR does not prevent the passport authority from renewing or issuing a fresh passport. If the petitioner intended to visit abroad, he can obtain necessary permission from the concerned authority or file an appropriate application. Therefore, the pendency of the FIR has no bearing on the renewal of the petitioner's passport. The petitioner is directed to submit an application for the renewal of his passport before the second respondent and on receipt of such application, the second respondent is directed to renew the petitioner's passport, if otherwise in order, without considering the pendency of the FIR.

5. With the above direction, this Criminal Original Petition stands disposed of.

03.03.2025

Lpp
Index: Yes/No
Internet: Yes/No



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To

1. The Inspector of Police,
Valangaiman Police Station,
Thiruvarur District.

2. The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
Thiruchirappalli – 620 008.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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