



W.P.No.15052 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.15052 of 2025

KALAISELVI

... Petitioner

Vs

1. UNION OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS,
REGIONAL PASSPORT OFFICE,
CHENNAI-600 002.
2. REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
RAYALA TOWER, NO.2 & 3,
IV FLOOR, NEW NO.158, OLD NO.785,
ANNA SALAI, CHENNAI-600 002.
3. THE INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE,
CRIME NO. 327/2023,
KRISHNAGIRI DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records in SCN/320875669/25 dated 27.02.2025 from the office of the second respondent and to set aside the same and to pass order directing the second respondent to process the passport renewal application in MA1077358401525 dated 30.01.2025 without reference to the Crime No.327/2023 for offence U/s.294(b) and 323 of IPC of Krishnagiri Taluk Police station, and



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consequently direct the respondents to permit the petitioner to travel abroad.

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For Petitioner : Mr.S.Natarajan
For R1 & R2 : Mr.A.K.Manoj Kumar
Central Government Counsel
For R3 : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

This writ petition is filed with a prayer directing the respondents to issue the passport for Application No. MA1077358401525, dated 30.01.2025.

2. The grievance of the petitioner is that when the petitioner made an application for the issuance of a Passport, vide application No.MA1077358401525, dated 30.01.2025, the same was not considered due to adverse police report received by the respondents, indicating that there is a criminal case pending against the petitioner.

3. On perusal of the records, it can be seen that first information report pending against the petitioner in crime No. 327 of 2023 on the file of third respondent. Therefore, by virtue of the Hon'ble Division Bench of this Court



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in ***Arumugam vs Regional Passport Officer (W.A(MD) No. 301 of 2018)***,

the first information report cannot be considered as a criminal case within the meaning of the Passport Act and thus, it will not be an impediment for issue of passport.

4. In view thereof, this writ petition is disposed of on the following terms:-

(i) The second respondent is directed to consider the application of the petitioner, vide application No. MA1077358401525, dated 30.01.2025 and issue the passport in accordance with law, dehors the pendency of the above first information report against the petitioner.

(ii) The said exercise shall be completed within a period of eight weeks from the date of receipt/production of the website uploaded copy of this order without waiting for the certified copy of the order. No costs.

25.04.2025

Neutral Citation: Yes/No
nsl



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D.BHARATHA CHAKRAVARTHY, J.

ns1

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