



W.P.No.16564 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.16564 of 2025

Ameer Jawaharali Khan

.. Petitioner

Versus

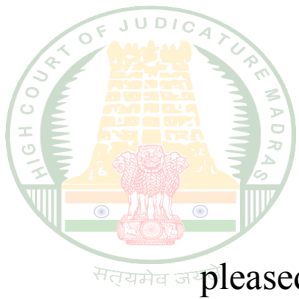
1. The Regional Passport Officer,
O/o. The Regional Passport Officer,
Old No.785, 158, Rayala Tower,
No.2 & 3, 4th Floor,
Anna Salai, Chennai - 600 002.

2. The Deputy Passport Officer,
O/o. The Deputy Passport Officer,
Old No.785, 158, Rayala Tower,
No.2 & 3, 4th Floor,
Anna Salai, Chennai - 600 002.

3. The Inspector of Police,
Central Crime Branch,
EDF-II, Team IV,
Vepery, Chennai - 600 007.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,



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pleased to issue a Writ of Mandamus, directing the 1st and 2nd respondents herein to return the interim custody of the passport bearing No.W9443609 to the petitioner very immediately.

For Petitioner : Mr.Dalit Tiger C. Ponnusamy

For Respondents : Mr.R.Siddharth,
Central Government Standing Counsel,
for RR-1 and 2

: Dr.C.E.Pratap,
Government Advocate (Crl. Side) for R3

ORDER

The prayer in the Writ Petition is to direct the respondent Nos.1 and 2 herein to return the custody of the passport of the petitioner herein bearing No.W9443609 to the petitioner immediately.

2. The case of the petitioner is that when he arrived India from abroad, there was a look out circular and he was also arrested and produced before the concerned Court and he has already appeared before the concerned Court



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and is now enlarged on bail. When the passport was sought to be seized by the Inspector of Police, already, the petitioner filed Crl.R.C.No.500 of 2025 and the said case was disposed of on 28.03.2025 on the following terms:-

"5. This Court, again and again states that neither the prosecution agency, nor the Court, has authority to impound the Passport. The power of impounding the Passport only vests with the Passport Authority. Hence, the learned Metropolitan Magistrate is directed to take steps to return the petitioner's passport to the concerned Passport Authority in accordance with law."

3. It is the case of the petitioner that even thereafter, the passport is not handed over to him and the respondent Nos.1 and 2 have the custody of the passport. The petitioner has already made a representation on 22.04.2025 to the respondent Nos.1 and 2 in that regard.

4. *Mr.R.Siddharth*, learned Central Government Standing Counsel takes notice for the respondent Nos.1 and 2 and *Dr.C.E.Pratap*, learned Government Advocate (Crl. Side) takes notice for the third respondent. However, the learned Central Government Standing Counsel for the



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respondent Nos.1 and 2 seeks time for instructions.

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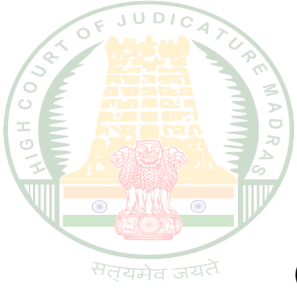
5. In view of the limited nature of the prayer that is sought for, without giving further time, this Writ Petition is disposed of on the following terms:-

(i) The respondent Nos.1 and 2 shall take up the representation of the petitioner, dated 22.04.2025 for enquiry;

(ii) The petitioner shall appear before the first respondent immediately and the first respondent shall enquire into the matter and pass orders in accordance with law as expeditiously as possible in view of the fact that the petitioner is pleading that his job opportunity in abroad will be lost very soon;

(iii) The learned Central Government Standing Counsel for the respondent Nos.1 and 2 is directed to instruct the first respondent about the order of this Court;

(iv) The parties shall act upon a web-copy of this order without waiting for a certified copy of this order;



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(v) There shall be no order as to costs.

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Neutral Citation : no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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