



W.P.No.18518 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.18518 of 2024
and W.M.P.No.20300 of 2024

Gurunathan Karunanithi

.. Petitioner

Versus

1. The Passport Officer,
Regional Passport Office,
Tiruchirappalli,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.

2. The Inspector of Police,
Sendurai PS,
Ariyalur District - 621 714.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari Mandamus, to call for the records and to quash the impugned notice passed by the 1st respondent herein in his proceedings bearing File No.TR1076433035324 dated 26.04.2024 and



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consequently, direct the 1st respondent herein to issue the passport to the
petitioner.

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For Petitioners : Mr.S.Elango,
for Mr.G.M.Gokulram

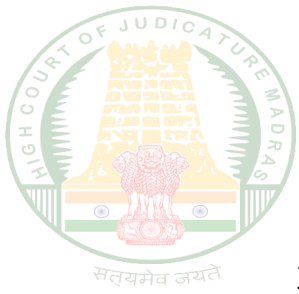
For Respondents : Mrs.R.Durgarani,
Central Government Standing Counsel,
for R1

: Dr.C.E.Pratap,
Government Advocate (Crl. Side), for R2

ORDER

This Writ Petition is filed with a prayer to quash the impugned notice issued by the first respondent, dated 26.04.2024.

2. The impugned proceedings are issued for impounding the passport of the petitioner. The allegation that is made is that there is an adverse Police Report against the petitioner that the petitioner is involved in a case in Crime No.4 of 2023 for the alleged offences under Sections 294(b), 324 of Indian Penal Code read with Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act.



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3. When the matter is taken up for hearing, from the status report filed by the respondent Police, it can be seen that the investigation has been completed and the case is now pending in C.C.No.16 of 2025 on the file of the learned Judicial Magistrate, Sendurai.

4. Now, the issue has been settled by the Division Bench of this Court in *The Regional Passport Officer Vs. Samsudeen Mohamed Salih & Ors.*, in W.A.No.902 of 2023, by the order, dated 02.06.2023, whereby, it has been held that the pendency of the Criminal Case need not be a bar for issue of passport. However, the concerned person take the permission of the concerned Court before leaving abroad. Even though it is stated that the petitioner has gone abroad and is absconding, it is now stated by the learned Government Advocate (Crl. Side) that no warrant is pending in the above said case. Therefore, petitioner has to appear before the Court in the aforesaid case and take the permission before leaving abroad. Even if he is not leaving abroad, on the next date of hearing i.e., on 08.05.2025, the



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petitioner has to appear before the learned Judicial Magistrate, Sendurai.

5. In view thereof, this Writ Petition is allowed on the following terms:-

(i) The impugned notice of the first respondent, dated 26.04.2024 shall stand quashed. The passport of the petitioner shall be returned to him;

(ii) The petitioner shall appear before the learned Judicial Magistrate, Sendurai, in C.C.No.16 of 2025 and before leaving abroad, he shall also file an application before the concerned Court and take permission of the Court;

(iii) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

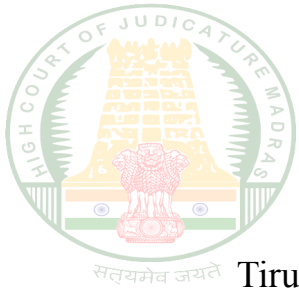
21.04.2025

Neutral Citation : no
grs

To

1. The Passport Officer,
Regional Passport Office,

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Tiruchirappalli,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.

2. The Inspector of Police,
Sendurai PS,
Ariyalur District - 621 714.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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