



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 49417 of 2025

Tharakkesh Ramganth,
S/.Ramganth,
6-A, Pavan Garden New, Thillai Nagar,
7th Cross, Pappanaickenpudur Post,
Coimbatore-641 041.

Petitioner(s)

Vs

1.The Government Of India,
Ministry Of External Affairs,
Regional Passport Office, Coimbatore,
Rep. By Its Regional Passport Officer,
First Floor, Corporation Commercial
Complex, Opp. Thandumariamman Koil,
Avinashi Road, Coimbatore-641 018.

2.State Rep. By
The Inspector Of Police,
Navalpattu Police Station, Trichy District.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 1st respondent to take into consideration the circumstances prevailing over the case pending against the petitioner and to consider the issue of passport to the petitioner accepting his application seeking passport.



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For Petitioner(s): Mr.M.Marudhachalam
For Respondent: Mr.R.Sanjay
Central Government Standing Counsel for R1
Mr.L.Baskaran
Government Advocate (Crl. Side) for R2

ORDER

The petitioner seeks for a direction, directing the first respondent to process the petitioner's passport application.

2. It is the contention of the petitioner that the petitioner applied for passport, however, the first respondent sent a communication that adverse report is sent by the police against the petitioner with regard to the criminal case in Cr.No.65 of 2023 for the offences under Sections 279 and 304A IPC has been registered and the same is now pending before the learned Judicial Magistrate Court No.III, Tiruchirapalli as CC No.925 of 2023 and it is in pending trial stage. Therefore, seeks for a direction.

3. Heard both sides and perused the materials placed on record.

4. By consent of both parties, this writ is taken up for final disposal at the admission stage itself.





7. In the case of *Vangala Kasturi Rangacharyulu vs. Central Bureau of Investigation* made in *Criminal Appeal No.1342 of 2017* dated 27.09.2021, the appellant therein was convicted to undergo one year of imprisonment, the Hon'ble Apex Court has held that the passport authority cannot refuse the renewal of the passport on the ground of pendency of the criminal appeal. The relevant portion of the judgment reads as follows:-

"Admittedly, at present, the conviction of the appellant stands still the disposal of the criminal appeal. The sentence which he has to undergo is for a period of one year. The passport authority cannot refuse the renewal of the passport on the ground of pendency of the criminal appeal.

The passport authority is directed to renew the passport of the applicant without raising the objection relating to the pendency of the criminal appeal in this Court. Subject to the other conditions being fulfilled, the Interlocutory Application stands disposed of."

8. Considering the above judgments, I am of the view that mere pendency of the criminal case is not a bar for processing the passport. Such view of the matter, there shall be a direction to the first respondent to consider the passport application given by the petitioner and issue passport if otherwise, the petitioner satisfies other conditions. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.

9. Accordingly, this writ petition stands disposed of. No costs. It is made



clear that, if the petitioner proposes to travel outside the country, he has to necessarily seek permission from the concerned court where the criminal case is pending.

17-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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