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CRL OP No. 30685 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 30685 of 2025

Sethurathnam Ravi,
S/o.Thiniam Sethurathnam
Subramanian,
P-218, Saket, Delhi-110 017.

Petitioner(s)

Vs

The Central Bureau Of Investigation,
Rep by Inspector of Police, CBI/ BS &
FC,
Bangalore.

Respondent(s)

PRAYER:

This petition has been filed seeking to call for the records in Crl.MP.No.13343 of 2025 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore and set aside the condition imposed in clause(i) in Crl.MP No.13343 of 2025 by an order dated 23.10.2025.

For Petitioner(s): Mr.V.Karthik, Sr.counsel for
Mr.Adithya Varadarajan

For Respondent(s): Mr.K.Srinivasan, Special Public
Prosecutor

**ORDER**

This petition has been filed seeking to call for the records in Crl.MP.No.13343 of 2025 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore and to set aside the condition imposed vide clause (i) in Crl.MP No.13343 of 2025 by an order dated 23.10.2025.

2.The petitioner/A18 in CC No.554 of 2023 has filed the petition seeking to permit him to apply for renewal of his passport bearing no.Z3487909, for a period of 10 years, which would expire on 01.12.2025 in Crl.MP No.13343 of 2025. The trial Court by order dated 23.10.2025 allowed the petitioner to get the passport re-issued with certain conditions and one of the condition is that the petitioner's passport shall be re-issued to him with a validity of two years only. Aggrieved against the said order, the present petition has been filed.

3.The contention of the learned Senior Counsel for the petitioner is that the petitioner is facing trial for offences under Sections 120B r/w. 420, 409 of IPC, in CC No.554 of 2023. In this case, there are 29 accused. Even the service



of summons to all the accused is not completed and the case is pending for service of summons. In the meanwhile, the respondent/CBI has filed a petition for further investigation under Section 173(8) of Cr.P.C, which is also pending. The petitioner appeared before the trial Court, executed a bond under Section 88 Cr.P.C., on 23.02.2023 and he has also been appearing before the trial Court either personally or through his counsel, before the trial Court. The petitioner is a Chartered Accountant by profession and presently he is appointed as Non-Executive Chairman of Tourism Development Finance Corporation, a Government of India Entity. The petitioner is a renowned Chartered Accountant and active practitioner doing consultancy to several business entities and individuals. The petitioner has got deep social roots. Since his passport getting expired, the petitioner earlier obtained an order in Crl.O.P.No.24704 of 2025 to travel to UK and this Court by order dated 09.09.2025, granted permission directing the petitioner to travel to UK during the month of October for same reason, the petitioner could not travel in October and later the petitioner found his passport has to be renewed by 01.12.2025 and within a short period, it will be difficult to renew the passport and to continue the travel. The petitioner to



avoid such situation in future needs to renew his passport for 10 years. He further submitted that in this case, A19, another nominated Non-Executive Director, filed a petition to renew his passport for 10 years in Crl.M.P.No.3122 of 2024 by order dated 15.03.2024 and A19 granted permission to renew his passport for a period of 10 years. In this case, the trial Court followed the decision of this Court in "*Ashok Muthana Vs. Regional Passport Officers, Chennai, Government of India*" in W.P.No.3699 of 2017, wherein, this Court granted renewal for 10 years period. However, for petitioner only two years renewal alone permitted. The G.S.R.570(E) dated 25.08.1993 was in force when the earlier order in respect of A19 passed, this Court in *Ashok Muthana* case considered G.S.R.570(E) and thereafter, directions given to renew the passport of a person facing criminal cases for 10 years. The learned Senior counsel for the petitioner further referred to the order passed by this Court in WP No.1190 of 2024, wherein, this Court considered the objections of the Regional Passport Officer citing G.S.R.570(E) dated 25.08.1993, further referring to Sections 6 and 7 of the Passport Act, permitted the petitioner therein to renew his passport for 10 years.



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4.The learned Senior counsel appearing for the petitioner further referred to the order passed by a Division Bench of Madurai Bench of this Court reported in 2025 CTC 189, wherein, the Division Bench referred to the learned Single Judge order passed in WP.No.1190 of 2024 and the order passed in *Ashok Muthana* case cited supra, G.S.R.570(E) dated 25.08.1993 directed the passport authority to renew the passport for a period of 10 years.

5.Per contra, the learned Special Public Prosecutor appearing for the respondent strongly oppose the petitioner's contention and submitted that the petitioner is A18 in CC No.554 of 2023 and there are totally 29 accused and all accused are acting in tandem ensured service of the summons is not completed and there is evasion of service of summons. Though charge sheet has filed in the year 2023, serving summons to all accused could not be completed and for that reason trial could not proceed. He further submitted that in this case, the petition for further investigation filed, seeking directions to collect details and particulars from foreign countries. He further submitted that this process may



get completed within a period of one month. He further submitted that as per

Section 6(2) of the Passport Act, the authority can refuse to issue/renew a passport for visiting any foreign country on the ground that proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal Court in India and in the present case, admittedly a criminal case is pending against the petitioner and other accused before the criminal Court and hence, renewal of passport for a limited period, i.e. for two years will be proper. He pointed out that if the petitioner is permitted to renew the passport for a longer period and undertakes frequent travel for a longer period, there is every likelihood of trail getting stalled for appearance of the petitioner. He further submitted that by renewing the passport for two years, no prejudice would be caused to the petitioner. Subsequently, this limited period of renewal can be extended periodically. If the petitioner's contention is accepted in toto, then the purpose of issuance of G.S.R.570(E) dated 25.08.1993 will become redundant. There is a reason and purpose for restriction to the persons facing criminal charges. Hence, renewal of passport for a limited period will be proper. Further, each person's case has to be considered independently.



However, he fairly submitted that in respect of A19, similarly placed person, the trial Court granted renewal of passport for a period of 10 years. As regards the petitioner is concerned, restriction is imposed and LOC No.1843688 issued.

6.Considering the submissions made by the learned Senior counsel and on perusal of the materials, it is seen that against the petitioner LOC No.1843688 issued, which is a travel ban. The petitioner's renewal of passport either for 2 years or 10 years will not make any difference since already Look Out Circular issued and passage of travel is restricted. Hence, there can be no apprehension that longer period of renewal will be detrimental. In this case, charge sheet filed in the year 2013, but service of summons to all 29 accused not completed, further investigation is in progress to be completed shortly within a period of one month, then the petitioner's presence will be necessary for framing charges.

7.The learned Senior counsel for the petitioner refuted and submitted that all the accused in this case have right to file a discharge petition and it may take some time and outcome of the discharge petition will have a bearing at the time of framing charges. He further submitted that in this case, it is understood that



the main accused is negotiating with the bank for one time settlement. The petitioner is also similarly placed as to A19 and this Court in *Ashok Muthana* case cited supra in WP No.1190 of 2024 and in the case of *Ganesh Kumaresan*, reported in 29 CTC 189 considering the restrictions under Section 6 of the Passport Act and G.S.R.570(E) dated 25.08.1993, permitted the petitioners therein, to have renewal of passport for a period of 10 years. As regards the present case, the petitioner has been already granted permission to travel abroad i.e., UK by this Court in Crl OP.No.24704 of 2025. The petitioner appointed as Non-Executive Chairman of Tourism Development Finance Corporation of India by the authorities.

8. In view of the above, this Court finds the restriction imposed by the trial Court in respect of renewal of the passport of the petitioner for a period of two years only is improper, hence the order of the trial Court dated 23.10.2025, condition (i) Restricting the period of validity and renewal of Passport of the petitioner for two years alone is set aside. The Passport Authorities are directed to renew the Passport of the petitioner for a period of 10 years. All other



conditions remain unaltered. It is reminded that already LOC.No.1843688 issued restricting the petitioner's travel.

9.It is informed that some of the accused representing the Overseas Companies, to whom summons have been served, have filed petitions seeking to substitute them with other persons. Now it is for the trial Court to consider the petition under Section 305(6) Cr.P.C to nominate a representative to represent the Overseas Companies which might take some time.

10.In the result, this Criminal Original Petition is disposed of.

25-11-2025

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Issue order copy on 08.12.2025



Index: Yes/No

Neutral Citation: Yes/No

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1. Central Bureau Of Investigation,
Rep by Inspector of Police, CBI/ BS
and FC, Bangalore.



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M.NIRMAL KUMAR, J.
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