



W.P.(MD)No.5215 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5215 of 2025

Vijayarani

... Petitioner

-VS-

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to renew the passport to the petitioner on application in File No.MD2077398515125, dated 12.02.2024, by considering the representation dated 21.02.2025, within a reasonable/realistic time as stipulated by this Court.

For Petitioner

: Mr.C.Karthikeyan

For R1

: Mr.K.Maharajan
Central Government Standing Counsel



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For R2

: Mr.K.Gnanasekaran
Government Advocate (Criminal side)

ORDER

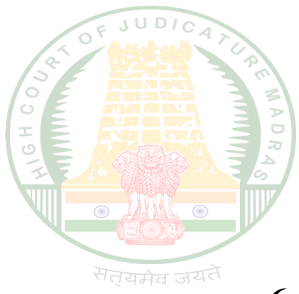
With the consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks issuance of passport. She has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of her involvement in a criminal case, the present writ petition came to be filed.

4. When the matter was taken up for hearing, the learned Government Advocate (Criminal side) submitted that the criminal case registered against the petitioner is pending at the F.I.R. stage.

5. It is well settled that when the case is pending only at the F.I.R. stage, there is no impediment for the Regional Passport Officer to grant the relief sought for by the petitioner herein.

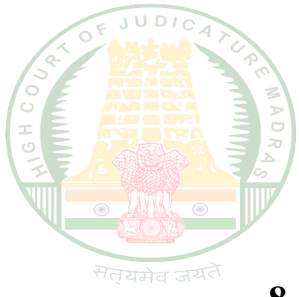


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6. The petitioner has to appear before the jurisdictional Police and file an affidavit indicating her contact details. The petitioner apart from furnishing her residential address must also give her WhatsApp mobile number, e-mail I.D. This is because, if any adverse final report is filed and the same is also taken on file by the jurisdictional criminal court, it should be possible to serve summons on the petitioner with the available details. The petitioner shall give an undertaking that the prosecution initiated against her will not be stalled on account of her absence from India. She should undertake that summons can be served on her through E-mail/WhatsApp. If necessary, the petitioner will have to execute a special Vakalat in future so that she can be represented by her counsel in the proceedings in terms of Section 205 of Cr.P.C.

7. Upon the passport authority being satisfied that such an undertaking affidavit has been filed before the jurisdictional Police, the jurisdictional Regional Passport Officer shall process the petition mentioned application and issue passport subject to fulfilment of the other usual formalities.



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8. This Writ Petition is allowed on the above terms. No costs.

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NCC : Yes / No

Index : Yes / No

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26.02.2025

To:-

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VIVEK KUMAR SINGH, J.

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