



W.P.(MD)No.5761 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5761 of 2025

A.Yuvan Sankar

... Petitioner

-VS-

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

2.The Inspector of Police,
Adirampattinam Police Station,
Adirampattinam,
Thanjavur District.
(Crime No.479/2024)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue passport to the petitioner, vide Application No.TR1067313999325, dated 17.01.2025, within a time frame to be fixed by this Court.

For Petitioner : Mr.V.Muthu Kamatchi

For R1 : Mr.B.Narayana Ram
Central Government Standing Counsel



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For R2

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

ORDER

Heard both sides.

2. The petitioner seeks issuance of passport. He has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of his involvement in criminal cases, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that two criminal cases have been registered against the petitioner in Crime No.236 of 2023 for the offences under Sections 341, 427, 294(b), 324 and 506(ii) of I.P.C. and Crime No.479 of 2024 for the offences under Sections 296(b), 115(2) and 351(2) of the B.N.S., 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the file of the second respondent, which are in the F.I.R. stage.



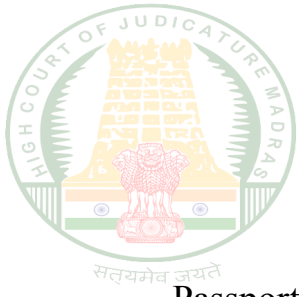
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4. It is well settled that when the cases are pending only at the F.I.R. stage, there is no impediment for the Regional Passport Officer to grant the relief sought for by the petitioner herein.

5. The petitioner has to appear before the jurisdictional Police and file an affidavit indicating his contact details. The petitioner apart from furnishing his residential address must also give his 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 him will not be stalled on account of his absence from India. He should undertake that summons can be served on him through E-mail/WhatsApp. If necessary, the petitioner will have to execute a special Vakalat in future so that he can be represented by his counsel in the proceedings in terms of Section 205 of Cr.P.C.

6. Upon the passport authority being satisfied that such an undertaking affidavit has been filed before the jurisdictional Police, the jurisdictional Regional



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Passport Officer shall process the petition mentioned application and issue passport subject to fulfilment of the other usual formalities.

7. This Writ Petition is allowed on the above terms. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

04.03.2025

To:-

- 1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
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VIVEK KUMAR SINGH, J.

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