



W.P.(MD)No.6264 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6264 of 2025

Chinnaiya

... Petitioner

-VS-

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

2.The Passport Officer,
Plot No.A5, Solai Road,
Sastri Road Junction,
Thillai Nagar, Tiruchirappalli - 620 018.

3.The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
(Crime No.261 of 2022)

... 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 renewal passport to the petitioner bearing No.M3556871 consequent to Renewal Application No.TR2077189951324 dated 02.12.2024 within the stipulated time limit as fixed by this Court.



WEB COPY



W.P.(MD)No.6264 of 2025

For Petitioner : Mr.N.Palaniyandi
For R1 and R2 : Mr.M.Karthikeya Venkitachalapathy
Central Government Standing Counsel
For R3 : 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 a criminal case, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the third respondent submitted that a criminal case has been registered against the petitioner in Crime No.261 of 2022 for the offences under Sections 294(b), 324, 506(ii) and 379 of I.P.C., on the file of the third respondent and the same has culminated in laying a charge sheet in C.C.No.92 of 2024 before the Judicial Magistrate Court, Karambakudi, Pudukkottai District.

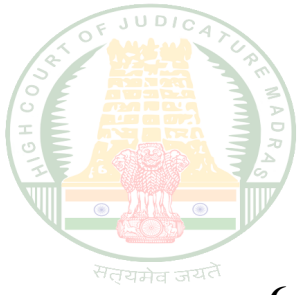


W.P.(MD)No.6264 of 2025

WEB COPY

4. In view of the above said submissions, the petitioner is given liberty to move the trial Court for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three weeks thereafter. The learned trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake, if he is denied the right to go abroad. Therefore, the trial Court unless there are extraordinary circumstances shall not deny the relief. Of course, the period of validity of passport will have to be restricted. It is also open to the learned trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India. If necessary, the applicant can be directed to file an application under Section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by executing a special Vakalat.

5. Based on the order passed by the trial Court, the petitioner shall move the jurisdictional regional passport officer, who shall dispose of the petition-mentioned application in terms of the said order.



W.P.(MD)No.6264 of 2025

WEB COPY

6. This Writ Petition is disposed of accordingly. There shall be no order as to costs.

NCC : Yes / No

11.03.2025

Index : Yes / No

smn2

To:-

- 1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.
- 2.The Passport Officer,
Plot No.A5, Solai Road,
Sastri Road Junction,
Thillai Nagar, Tiruchirappalli - 620 018.
- 3.The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.



WEB COPY



W.P.(MD)No.6264 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.6264 of 2025

11.03.2025