



**W.P.(MD)No.6386 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.03.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD)No.6386 of 2025**

Mayakrishnan

... Petitioner

-VS-

1.The Regional Passport Officer,  
New No.201/70, Old No.201/7,  
Medical College Road,  
Next to Kumaran Cinema Theatre,  
Thanjavur.

2.The Inspector of Police,  
Adiramapattinam Police Station,  
Thanjavur 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 issue passport to the petitioner based on the petitioner's application File No.TR1067235801324 dated 23.12.2024.

For Petitioner : Mr.V.Anand

For R1 : Mr.S.Muthukumar  
Central Government Standing Counsel

For R2 : Mr.K.Gnanasekaran  
Government Advocate (Criminal side)



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**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) submitted that a criminal case has been registered against the petitioner in Crime No.283 of 2019 for the offences under Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 and Sections 379, 294(b), 323, 353 and 506(i) of I.P.C., on the file of the second respondent, which is in the F.I.R. stage.

4. 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.

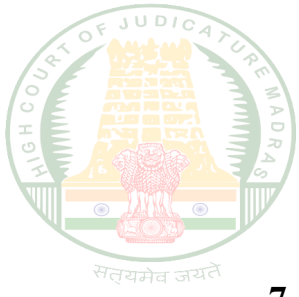


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5. The petitioner has to appear before the jurisdictional Police and file an affidavit indicating his contact details. The petitioner apart from furnishing his residential address must also give his WhatsApp mobile number, e-mail I.D. This is because, 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 Passport Officer shall process the petition mentioned application and issue passport subject to fulfilment of the other usual formalities.



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

NCC : Yes / No  
Index : Yes / No  
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**VIVEK KUMAR SINGH, J.**

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