



W.P.(MD)No.6394 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6394 of 2025

Pavunrasu

: Petitioner

Vs.

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

2. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.1 to release the hold on petitioner passport bearing Passport Number V2055782 issued on 27.07.2021 within the time stipulate by this Honble Court in light of the representation dated 11.02.2025.

For Petitioner : Mr.K. Pragadeesh Kumar

For Respondents : Mr.V.Muraliganesh

CGSC for R1



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Mr.K.Gnanasekaran
Government Advocate (Crl.Side)
for R2

ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the first respondent to release the hold on the petitioner's passport bearing Passport Number V2055782, issued on 27.07.2021, within the time stipulated by this Court, in the light of the petitioner's representation dated 11.02.2025.

2. The first respondent refused to release the petitioner's passport upon receiving an adverse police verification report. Hence, this Writ Petition has been filed by the petitioner.

3. The learned Government Advocate (Crl.) appearing for the second respondent, on instructions, submitted that Crime No.163 of 2020 has culminated in laying charge sheet in C.C.No.93 of 2024, before the learned Judicial Magistrate, Orathanadu, Thanjavur District.



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4. Heard the learned counsels on either side and carefully perused the entire materials available on record.

5. The petitioner is given liberty to move the learned Judicial Magistrate, Orathanadu, Thanjavur District, 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 learned Trial Court unless there are extraordinary circumstances shall not deny 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 Bharatiya Nyaya Suraksha Sanhita, 2023, by executing a special vakalat.

6. Based on the order passed by the learned Trial Court, the petitioner shall move the jurisdictional Regional Passport Officer who



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shall dispose of the petition~mentioned application in terms of the said order.

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

25.04.2025

Index : Yes / No

Internet : Yes / No

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3. Learned Judicial Magistrate, Orathanadu, Thanjavur District.



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VIVEK KUMAR SINGH, J.

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