



W.P.(MD)No.6314 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6314 of 2025

S.Gokul Krishna

: Petitioner

Vs.

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

2. The State of Tamil Nadu,
Rep. by, The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to renew the petitioner's passport No.M3115718.

For Petitioner : Mr.R.Jegadeeshwaran

For Respondents : Mr.A.Srinivasan

CGSC for R1

Mr.K.Gnanasekaran

Government Advocate (Crl.Side) for R2



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ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the first respondent to renew the petitioner's passport No.M3115718.

2.The petitioner has made an application in File No. MD2077068295324, for renewal of passport. However, upon receiving an adverse police verification report, the first respondent refused to renew the passport. 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.583 of 2020 culminated in laying charge sheet in C.C.No.1326 of 2022, before the learned Principal EC and NDPS Act Court, Madurai.

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



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5. The petitioner is given liberty to move the learned Principal EC and NDPS Act Court, Madurai, 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 shall dispose of the petition~mentioned application in terms of the said order.



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

18.03.2025

Index : Yes / No

Internet : Yes / No

PKN

To

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2. The State of Tamil Nadu,
Rep. by, The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.

3. The learned Principal EC and NDPS Act Court, Madurai.



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VIVEK KUMAR SINGH, J.

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