



W.P.(MD)No.11527 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11527 of 2025

and

W.M.P.(MD)No.8539 of 2025

Manikandan

... Petitioner

-VS-

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli,
Trichy District.

2.The Inspector of Police,
Palakkarai Police Station,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the letter dated 20.06.2023 in File No.TR2075461445523, Letter Ref. No.OBJ/315096001/23 issued by the first respondent and quash the same and consequently, directing to the first respondent to re-issue/renew the petitioner's passport bearing No.Z2131243 within the period that may be stipulated by this Court.



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W.P.(MD)No.11527 of 2025

For Petitioner : Mr.V.C.Vallarasu Chezhiyan
For R2 : Mr.K.Gnanasekaran
Government Advocate (Criminal side)

ORDER

With the consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks to quash the letter of the first respondent dated 20.06.2023 and also to re-issue / renew his 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.

4. When the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the second respondent submitted that a case in Crime No.373 of 2022 for the offences under Sections 294(b), 324, 427, 448 and 506(ii) of I.P.C., registered against the petitioner, is pending at the F.I.R. stage.



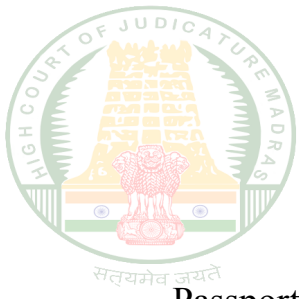
W.P.(MD)No.11527 of 2025

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5. 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.

6. 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.

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



W.P.(MD)No.11527 of 2025

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

8. This Writ Petition is disposed of on the above terms. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

24.04.2025

To:-

- 1.The Regional Passport Officer,
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- 2.The Inspector of Police,
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W.P.(MD)No.11527 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.11527 of 2025

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