



W.P.(MD) No.15776 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.15776 of 2025

Muthukumar Ninappan

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Trichirappalli-620 018.

2. The State of Tamil Nadu
Rep. by, the Inspector of Police,
District Crime Branch Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to return the petitioner's Impounded Passport No.W2732075 in the possession of the first respondent within the time stipulated by this Court.

For petitioner : Mr. K.C.Maniyarasu

For respondents : Mr.B.Ponnupandi
Central Government Standing Counsel for R1



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W.P.(MD) No.15776 of 2025

Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side) for R2

ORDER

The petitioner is before this Court for the relief of directing the first respondent to return the petitioner's Impounded Passport No.W2732075 in the possession of the first respondent.

2. Heard the learned counsel for the petitioner, learned Central Government Standing Counsel for the first respondent and learned Government Advocate (Crl.Side) for the second respondent.

3. It is the case of the petitioner that the petitioner, on his return in Dubai, was intercepted by the Immigration Officers and the petitioner's passport was handed over to the first respondent.

4. It appears that the petitioner is an accused in C.C.No.20 of 2022 on the file of the learned Judicial Magistrate-II, Pudukottai. The petitioner has already secured an interim order from this Court in Crl.O.P.(MD) Nos.349 & 18227 of 2022, *vide* an order, dated 27.06.2023.

2/4



W.P.(MD) No.15776 of 2025

WEB COPY

5. It is the case of the petitioner that the *defecto* complainant, namely, one Vijaya had lodged a complaint and the petitioner has been arrayed as an accused, for the offences under Sections 406, 420, 465, 468, 471, 120B, 294(B) and 506(I) of IPC.

6. Under these circumstances, this Court cannot stay the proceedings before the learned Judicial Magistrate -II, Pudukottai. Considering the same, there shall be an order by directing the respondents to hand over the passport to the petitioner, in the light of the decision of this Court in Savita Kainya and another vs. the Regional Passport Officer, Chennai (W.P.Nos.28760 and 28761 of 2015, dated 26.11.2025).

4. Accordingly, this Writ Petition is allowed. No costs.

Index : Yes / No
Internet : Yes / No
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11.06.2025



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W.P.(MD) No.15776 of 2025

C.SARAVANAN, J.

apd

To

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