



W.P.(MD) No. 18132 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 18132 of 2025

Duraiguna

... Petitioner

Vs

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

2. The Superintendent of Police,
Office of District Superintendent of Police,
Pudukottai,
Pudukottai District.

3. The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

4. The Inspector of Police,
Mandaiyur Police Station,
Pudukottai District,
Pudukottai District.

... Respondents



W.P.(MD) No. 18132 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to re-issue passport to the petitioner, based on the petitioner's application, dated 19.11.2024 pending in File Number TR1077129159124 within a stipulated time.

For petitioner : Mr.R.Karunanidhi

For respondents : Mr.A.Veluchamy
Central Government Standing Counsel for R1
Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side) for R2 to R4

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner, learned Central Government Standing Counsel for the first respondent and learned Government Advocate (Crl.Side) for the respondents 2 to 4.

2. It is noticed that the petitioner is an accused in at least eight different FIRs for the offences under the provisions of IPC and now, under the provisions of BNS. The details of the cases are under:



W.P.(MD) No. 18132 of 2025

WEB COPY

S.No	Crime No & offences	Case No. & Court	Status
1.	Crime No.289/2015 for the offences u/s 147, 148 & 307 IPC on the file of the Karambakudi Police Station.	S.C.No.22 of 2021 before the learned Principal District Judge, Pudukottai.	Acquittal
2.	Crime No.18/15 for the offences u/s 294(b), 352 & 506(i) IPC on the file of the Karambakudi Police Station.	S.T.C.No.893 of 2015 before the learned Judicial Magistrate, Alangudi.	Acquittal
3.	Crime No.57/16 for the offences u/s107 Cr.P.C. on the file of the Karambakudi Police Station.	---	Disposed of on 05.04.2016.
4.	Crime No.187/2016 for the offences u/s 294(b), 323, 324, 341 & 506(2) IPC on the file of the Karambakudi Police Station.	C.C.No.76 of 2023 before the learned Judicial Magistrate, Karambakudi.	Evidence (Trial pending) Next hearing: 04.08.2025
5.	Crime No.249/2018 for the offences u/s 294(b), 342, 353 IPC r/w Section 4 of TNPHW Act on the file of the Karambakudi Police Station.	Crl.M.P.No.1775 of 2018 before the learned Judicial Magistrate, Karambakudi.	Disposed of on 28.08.2024.



W.P.(MD) No. 18132 of 2025

WEB COPY

6.	Crime No.175/2019 for the offences u/s 170, 501 IPC r/w Section 4(b) of TNOPPD Act on the file of the Karambakudi Police Station.	CrI.M.P.No.880 of 2024 before the learned Judicial Magistrate, Karambakudi.	Disposed of on 19.03.2024.
7.	Crime No.746/2020, for the offences u/s 291, 501 IPC r/w Section 3 of TNOPPD Act on the file of the Karambakudi Police Station.	Judicial Magistrate, Karambakudi.	Charge sheet made ready on 22.09.2020, but not taken on file.
8.	Crime No.53/2024 for the offences u/s 192, 356(4), 353(1)(d), 336(4) of BNS	S.C.No.77 of 2025 before the learned Pricipal District Judge, Pudukottai.	Issue of service. Next hearing: 30.07.2025

3. In view of the above, as no case is made out by the petitioner for issuance of passport in view of the restriction under Section 6(2)(f) of the Indian Passport Act, 1971. Since criminal cases are pending against the petitioner, passport cannot be issued by the first respondent. Therefore, there cannot be a positive direction to the respondents to issue a passport to the petitioner. However, it is open for the petitioner to move the concerned Court for appropriate directions/orders at an appropriate time for the first respondent to facilitate the issuance of passport.



W.P.(MD) No. 18132 of 2025

WEB COPY

4. With the liberty, this Writ Petition is disposed of. No costs.

Index : Yes / No

04.07.2025

Internet : Yes / No

apd

To

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W.P.(MD) No. 18132 of 2025

C.SARAVANAN, J.

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W.P.(MD) No. 18132 of 2025

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