



W.P.(MD).No.18497 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.18497 of 2025

Babu

... Petitioner

Vs.

1.The Consul (Passport) Officer,
Consulate General of India, Dubai,
Post Box No.737, Plot No.314,
Al Hamriya Dipomatic Enclave,
Bur Dubai.

2.The Regional Passport Office,
Madurai Bharathi Uzha Veethi,
Race Course Road,
Madurai.

3.The Inspector of Police,
Mathagupatti Police Station,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to issue No Objection Certificate in favour of the petitioner pertaining to Crime No.109/2023 in Cr.M.P.No.141/2025 on the file of Additional Mahila Court, (Judicial Magistrate Level), Sivagangai by considering petitioner's representation, dated 26.06.2025 and consequently direct the 1st respondent not impound the petitioner's Passport No.C3861695.



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For Petitioner : Mr.A.Aruljenifer,
for KBS Law Office.

For R1 and R2 : Mr.M.Mithun
Central Government Standing Counsel

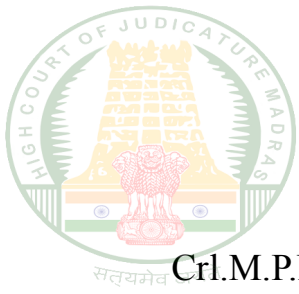
For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respondent Nos.1 and 2 and the learned Government Advocate (Crl.Side) appeared on behalf of the third respondent.

2. The petitioner is having a passport, which is valid between 28.11.2014 to 27.11.2024. However, the petitioner has suppressed his involvement in crime and First Information Report has been registered in Crime No.109 of 2023, dated 23.04.2025 for the offences punishable under sections 143, 294(b), 323, 427, 506(i) of IPC and 4 of TN Prohibition of Harassment of Women Act, 2002.

3. It is informed by the learned Government Advocate appeared on behalf of the third respondent that charge sheet has been filed against the petitioner in



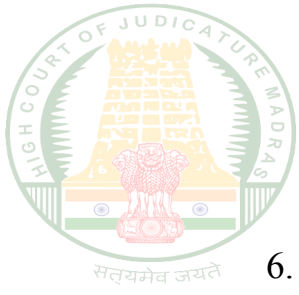
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**CrI.M.P.No.141 of 2025 on 05.03.2025 by the Additional Mahila Court,
Sivagangai.**

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4. It is noticed that the petitioner has received a show cause notice, dated 23.04.2025 from the first respondent, in which, it is stated that if no satisfactory reply is received from the petitioner regarding the criminal case pending against him within a period of 10 days from the aforesaid notice, the petitioner's passport will be impound.

5. The petitioner responded belatedly to the aforesaid notice on 26.06.2025 with a request of issuance of No Objection Certificate stating that the petitioner has been wrongly implicated in the First Information Report in Crime No.109 of 2023 for the offences punishable under sections 143, 294(b), 323, 427, 506(i) of IPC and 4 of TN Prohibition of Harassment of Women Act, 2002, for which, Charge Sheet has been filed against him before the concerned Court.

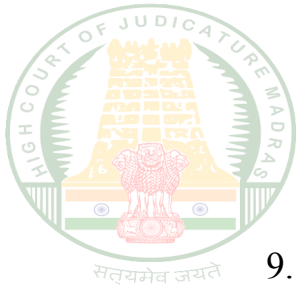


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6. It is the case of the petitioner that he has been wrongly implicated in the aforesaid crime as 14th accused during the temple festival in First Information Report in Crime No.109 of 2023, dated 23.06.2023.

7. It is for the petitioner to take suitable steps for quashing the criminal case, which is pending against him in CrI.M.P.No.141 of 2025 on 05.03.2025 before the Additioal Mahila Court (Judicial Magistrate), Sivagangai. As such the petitioner has to respond to the Show Cause Notice and therefore, there cannot be a direction to the second respondent to issue No Objection Certificate in favour of the petitioner, particularly when FIR has been registered against him in Crime No.109 of 2023, in respect of which, Charge sheet has also been filed in CrI.M.P.No.141 of 2025 on 05.03.2025 before the Additional Mahila Court (Judicial Magistrate), Sivagangai.

8. Therefore, the petitioner is directed to file a reply before the first respondent. In the meanwhile, the petitioner has to take steps to quash the Charge Sheet, which has been filed against the petitioner in CrI.M.P.No.141 of 2025, dated 05.03.2025 before the Additional Mahila Court (Judicial Magistrate), Sivagangai.



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9. It is also open for the petitioner to file an application before the Additional Mahila Court, Sivagangai for issuing suitable direction to the respondent Nos.1 and 2 not to impound the petitioner's passport.

10. With the above liberty, this Writ Petition stands disposed of. No costs.

08.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu

To

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C.SARAVANAN, J.

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