



Crl.O.P.(MD)No.13691 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 05.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD)No.13691 of 2024

and

CrI.M.P.(MD)No.8485 of 2024

Dhinesh Babu

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Town North Police Station,
Dindigul District.
(Crime No.1428 of 2015)

2.Passport Issuing Authority,
Regional Passport Office,
Bharathi Ula Road,
Race Course Road,
Madurai – 625002.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to Crime No.1428 of 2015 on the file of the first respondent police and quash the same as against this petitioner alone.

For Petitioner : Mr.Sathish Kumar.P.,
Advocate

For R1 : Mr.S.Ravi,
Additional Public Prosecutor

For R2 : Mr.K.Sankararaman,
Central Government Standing Counsel



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ORDER

Seeking to quash the First Information Report in Crime No.1428 of 2015 on the file of the first respondent police, this Criminal Original Petition has been filed.

2. The learned counsel for the petitioner submitted that the first respondent police registered a case against the petitioner for the offence under Section 12(1)(b) of the Passport Act, 1967, as early as on 11.12.2015. Even after a lapse of a decade, the first respondent police had failed to complete the investigation. He further submitted that the bar under Section 468 of the Code of Criminal Procedure would come to his rescue and therefore, the police cannot take cognizance of the offence any more.

3. Mr.K.Sankararaman, learned counsel for the second respondent, submitted that the petitioner had himself admitted a difference in his date of birth in his transfer certificate and his birth certificate.

4. The learned counsel for the petitioner, however, submitted that the passport agent had informed the petitioner that the said discrepancy could be dealt with by him, and for no mistake on his part, the petitioner has been



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implicated in this case. He further submitted that the petitioner had reapplied for a fresh transfer certificate, corrected the date of birth and produced the same before the passport authorities. Considering the delay of nearly ten years in completing the investigation, he sought the indulgence of this Court to quash the First Information Report.

5. Mr.K.Sankararaman, learned counsel for the second respondent, further vehemently contended that had the petitioner been ignorant of what had transpired between the agent and the passport authorities, the petitioner's argument could be accepted. However, the petitioner himself has claimed that he had knowledge about the discrepancy in the documents submitted and hence it should be presumed that he had the knowledge of how the agent would have tackled the discrepancy. Hence, according to him, mere delay cannot be a ground to quash the First Information Report.

6. The learned counsel for the petitioner submitted that the petitioner's wife is working in the UAE along with their minor child and that the petitioner is unable to travel abroad due to the pendency of the present case. He further submitted that the petitioner has been implicated due to the malpractice of the travel agent and that the discrepancy in the transfer certificate has been rectified



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by obtaining a fresh certificate from the school. He therefore sought the indulgence of this Court to quash the First Information Report.

7. Considering the age of the petitioner and his family circumstances, this Court is inclined to quash the First Information Report on payment of costs.

8. Accordingly, the First Information Report in Crime No.1428 of 2015 on the file of the first respondent police is hereby quashed, and this Criminal Original Petition is allowed on payment of costs of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of the **Siddha Clinic, Madurai Bench of Madras High Court (A/c No.6865578213, Indian Bank, Madurai Bench of Madras High Court)**, within a period of two weeks from the date of receipt of a copy of this order, failing which this petition shall stand automatically dismissed without any further reference to this Court. Consequently, the connected Criminal Miscellaneous Petition is closed.

05.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police,
Town North Police Station,
Dindigul District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

mn

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