



W.P.(MD)No.25648 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2025

CORAM:

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.(MD).No.25648 of 2025

Arockia Vinoth Kumar

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.

2. The Inspector of Police,
Inamkulathur Police Station,
Trichy District,
In Crime No.68 of 2025

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st Respondent herein to renew / re- issue passport to the Petitioner favour on the basis of petitioner passport Application No.TR2075518742225 dated 20.08.2025.

For Petitioner : Mr.K.Rajesh

For R1 : Mr.T.Lenin Kumar

For R2 : Mr.S.Prakash

Government Advocate (Crl.Side)



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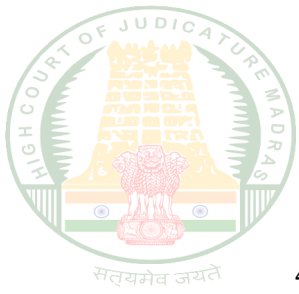
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ORDER

This writ petition has been filed directing the 1st respondent to renew/re-issue the passport of the petitioner in Application No.TR2075518742225 dated 20.08.2025.

2. Heard Mr.K.Rajesh, learned counsel for the petitioner and Mr.T.Leninkumar, learned counsel for the first respondent and Mr.S.Prakash, learned Government Advocate [Crl side] for the second respondent. By consent, this writ petition is taken up for final disposal at the time of admission itself.

3. It is the contention of the petitioner that since an adverse report was received from the second respondent, the application of the petitioner for re-issuance of passport has not been acted upon by the first respondent so far. Further it is stated that the petitioner was discharged from the said criminal case.



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4. The learned Government Advocate (Crl.side), on instructions, would submit that the second respondent confirms that the petitioner has been arrayed as an accused in the above said case.

5. A Division Bench of this Court, in the case of **The Regional Passport Officer, Chennai vs. Samsudeen Mohamed Salih and another (W.A. No.902 of 2023, dated 02.06.2023)**, following a Division Bench judgment of the Bombay High Court, in the case of **Abbas Hatimbhai Kagalwala vs. State of Maharashtra and another**, reported in **2022 SCC OnLine Bom 1992**, held that the pendency of a criminal case will not be an impediment for the passport authorities to consider an application for renewal of passport. The Bench went on to hold that where a criminal case is pending against an applicant and he wishes to travel abroad, he shall do so after obtaining permission from the concerned Court where the criminal proceedings are pending.

6. Consequently, the respondents are directed to act upon the passport application submitted by the petitioner and re-issue the passport in the petitioner's name, within a period of four (4) weeks from the date of receipt of a copy of this order.



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7. This writ petition stands allowed with the above observations and directions. No costs.

18.09.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

To

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P.T.ASHA, J.

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