



CRL OP(MD). No.18618 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.10.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.18618 of 2025

N.Kader Mohideen

... Petitioner

Vs.

The State of Tamilnadu rep. By,
The Inspector of Police,
District Crime Branch,
District Police Office,
Madurai Road, Theni,
Theni District.
(In Crime No.2 of 2020)

... Respondent

PRAYER :- This Petition is filed under Section 528 BNSS / Cr.P.C., to direct to set aside the impugned order passed in M.P.No.6 of 2025 dated 18.08.2025 and to direct the learned Judicial Magistrate, Uthamapalayam, to pass an order for the normal period of 10 years for the renewal of the petitioner's passport bearing No.K-814136, dated 01.07.2024, issued by the Regional Passport Office, Madurai.

For Petitioners : Mr.Safar Badusha

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor for R1



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ORDER

The petitioner seeks to set aside the impugned order passed in M.P.No.6 of 2025 dated 18.08.2025 by which the petitioner's application for renewal of passport was allowed on certain conditions.

2.The petitioner is facing trial for the offences under Sections 420, 465, 468, 471 r/w 120(B) of IPC in C.C.No.342 of 2023 on the file of learned Judicial Magistrate, Uthamapalayam. The petitioner's passport had expired and he sought permission of the learned Magistrate for renewal of passport. The learned Magistrate allowed his application, but restricted the renewal period to one year.

3.The learned counsel appearing for the petitioner would submit that there is no basis for a renewal of passport to a period of one year and the Principal Bench of this Court, in similar circumstances in ***W.P.No. 1190 of 2024*** in the case of ***Karti P.Chidambaram Vs. The Regional Passport Officer, Chennai***, had permitted renewal of the passport for a period of ten years, with a further direction to surrender the renewed



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passport before the Court concerned, and that a similar order may be passed in the present case.

4.The learned Additional Public Prosecutor, however, would submit that if the petitioner's application is allowed, the petitioner may abscond and the trial is almost nearing completion and therefore, the impugned order is justified.

5.This Court is of the view that there cannot be any quarrel with the proposition that the respondent has to ensure the presence of the petitioner for the purpose of trial. At the same time, there cannot be any restriction with regard to the renewal period of the passport. In the facts and circumstances case, this Court is of the view that no prejudice would be caused to the respondent, if the following directions are issued:

a.The petitioner may seek renewal of his passport for the regular validity period of ten years.

b.The petitioner shall surrender the passport on renewal before the learned Judicial



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Magistrate, Uthamapalayam..

*c.The petitioner shall seek the permission
of the learned judicial magistrate to travel
abroad whenever he intends to do so.*

6.With the above directions, this Criminal Original Petition stands
disposed of.

29.10.2025

NCC : Yes / No
Internet : Yes/ No
vsg



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TO

1. The learned Judicial Magistrate,
Uthamapalayam.
2. The Inspector of Police,
District Crime Branch,
District Police Office,
Madurai Road, Theni,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

vsg

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