



WEB COPY

WP No. 4680 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

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

WP No. 4680 of 2026

Mr.Vidyaranya
S/o.Basavaraju
MIG 199 Avalapalli
Hudco, Basathi Road
Hosur Post and Taluk
Krishnagiri District 635109.

..Petitioner(s)

Vs

1. Regional Passport Officer
Office of Regional Passport
Chennai Royala Towers
No.2 and 3 IV Floor, Old No. 785
New No. 158, Anna Salai
Chennai 600002.
2. State, Inspector Of Police
Hudco Police Station
Krishnagiri District.
(Crime No. 312 of 2019)

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondent re issuance of petitioner's passport with fresh pages bearing Application reference No. MA2076207435426 dated 08.01.2026.

For Petitioner(s):

Mr.M.P.Saravanan



For Respondent(s):

Mr.R.Sugumar
Senior Panel Counsel for R1
Mr.L.Baskaran
Government Advocate (Crl Side) for R2

ORDER

The writ petition has been filed seeking a direction to the respondents to re-issue the petitioner's passport with fresh pages.

2. The case of the petitioner is that he possessed the passport bearing No.T6237719 issued to him on 04.7.2019, which is valid till 03.07.2029. The petitioner would frequently fly to foreign countries on account of his avocation and foreign trips. Owing to the large number of entries made in the passport, the pages therein have been exhausted. Therefore, the petitioner had made an application before the first respondent on 08.01.2026 and the same was taken in File No.MA2076207435426. The petitioner was thereafter served with the communication of the first respondent dated 20.01.2026, asking him to provide an explanation with regard to the adverse police remarks received from the second respondent in Crime No.312/2019.

3. The petitioner would submit that he has been falsely implicated in the above crime by the police officials and an FIR in Crime No.312/2019 was



registered on 29.08.2019. Aggrieved by the same, he filed a case before the Human Rights Commission in SHRC Case No.7793 of 2019 against the police officials and this also ended in his favour. The petitioner would also submit that no charge sheet has been filed against him. In response to the letter of the first respondent dated 20.01.2026, the petitioner had appeared before him and submitted his explanations. However, the respondents have not issued the passport to date. Hence, the petitioner is before this Court to direct the first respondent to issue passport to him.

4. Heard the learned counsel for the petitioner and Mr.R.Sugumar, Senior Panel Counsel appearing for the first respondent. Mr.L.Baskaran, learned Government Advocate (Crl. Side) appearing for the second respondent would submit that a case in C.C.No.24 of 2023 on the file of Judicial Magistrate No.II, Hosur, is pending against the petitioner.

5. The reason for not issuing the passport to the petitioner is attributed to the pendency of criminal proceedings against the petitioner in Crime No.312/2019 on the file of second respondent. Subsequently, a case in C.C.No.24 of 2023 on the file of Judicial Magistrate No.II, Hosur, came to be filed and the same is pending. In a recent judgment in ***Mahesh Kumar Agarwal Vs. Union of another*** arising out of SLP (C) No.17769 of 2025, the Hon'ble Supreme Court has observed that such issue of passport was subject to



the condition that the person accused of criminal case should not leave India without the permission of the Court concerned (Criminal Court) and shall also deposit his passport in that Court as and when demanded. Relying the said judgment, the Full Bench of Madurai Bench of Madras High Court in W.P. (MD) No.26547 of 2025 dated 09.02.2026 [*Jawahar Rajan Vs The Regional Passport Officer*], has held that the right of a person who is on bail or facing trial or pending appeal may leave the country, subject to the permission of the Criminal Court, which can grant or withhold permission, impose conditions, insist of undertakings or refuse to leave altogether.

6. The dicta laid down in the judgments cited supra would apply on all fours to the case of hand. Therefore, the writ petition is allowed with a direction to the first respondent to re-issue the passport to the petitioner, subject to the condition that the petitioner shall not leave the shores of India, without obtaining the permission of the Judicial Magistrate No.II, Hosur. No costs.

11-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS



To:

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