



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15254 of 2026

Sheik Mohamed

..Petitioner(s)

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
D4 Kuniyamuthur Police Station,
Coimbatore,
Crime No.1647 of 2020

..Respondent(s)

To call for the records relating to the order dated 06.05.2026 passed in Crl.M.P.No.4048 of 2026 in Crl.M.P.No.1474 of 2026 in S.T.C.No.5946 of 2023 on the file of the learned Judicial Magistrate No.VII, Coimbatore, set aside the same and consequently modify the conditions imposed in the order dated 19.02.2026 in Crl.MP.No.1474 of 2026 by dispensing with the condition relating to furnishing blood surety/passport surety.

For Petitioner(s):

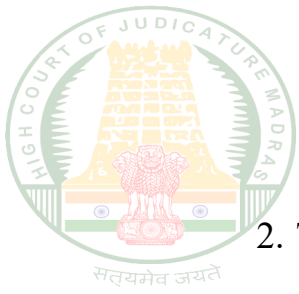
S.Haja Mohideen Gisthi

For Respondent(s):

Mr.A.Amarnath,
Government Advocate (Crl. Side)

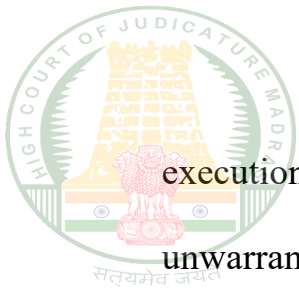
ORDER

This Criminal Original Petition has been filed seeking to modify the order dated 19.02.2026 in Crl.MP.No.1474 of 2026, by dispensing with the condition requiring the petitioner to furnishing blood surety/passport surety.



2. The learned counsel for the petitioner submitted that the petitioner/A5 is facing trial in S.T.C.No.5946 of 2023. The petitioner was holding a passport which was valid up to 08.06.2022. Upon expiry of the passport, the petitioner applied for renewal before the Regional Passport Authority. However, the request was declined on the ground that a criminal case was pending against the petitioner. Aggrieved by the same, the petitioner approached this Court by filing W.P.No.25592 of 2023. By order dated 31.08.2023, this Court observed that there is a distinction between obtaining a passport and seeking permission to travel abroad. Since the petitioner herein had sought only renewal of the passport, this Court directed the Passport Authority to consider the application. Pursuant thereto the petitioner's passport was renewed for a period of three years.

3. Subsequently, upon the expiry of the renewed passport, the petitioner sought further renewal, in that regard, the petitioner filed WP.No.18182 of 2025, wherein this Court by order dated 15.05.2025 directed the petitioner to approach the Trial Court and obtain appropriate orders. Pursuant to the said direction, the petitioner filed Crl.M.P.No.1474 of 2026 before the Trial Court. The Trial Court allowed the petition subject to four conditions. The learned counsel submitted that the petitioner has no serious objection to the other conditions imposed by the Trial Court. However, the first condition requiring



execution of a bond with two sureties for a sum of Rs.10,000/- each is unwarranted and without any basis, particularly when the application is only for renewal of passport and not for permission to travel abroad. Challenging the said condition, the present petition has been filed.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner, along with four other accused, is facing trial in S.T.C.No.5946 of 2023. Though investigation has been completed and the final report was filed as early as in the year 2023, summons could not be effectively served on all the accused and service remains incomplete. Consequently, the case has been adjourned from time to time. It was further submitted that the petitioner has been appearing before the Trial Court. It was also pointed out that on an earlier occasion, pursuant to the order passed by this Court in W.P.No.25592 of 2023, the petitioner's passport had been renewed for a period of three years. Thereafter, for the present renewal, the petitioner approached the Trial Court pursuant to the order passed in WP.No.18182 of 2025 and the Trial Court imposed the impugned conditions.

5. This Court has considered the submissions made on either side and perused the materials available on record.



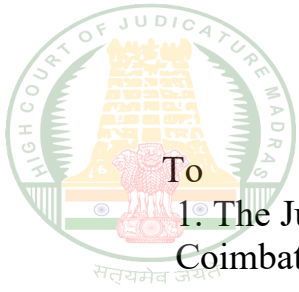
6. It is evident that the petitioner's request is confined only to renewal of passport and does not relate to permission to travel abroad. In the earlier round of litigation, the petitioner's passport was renewed pursuant to the orders of this Court, without imposing the condition of execution of a bond with sureties. In the absence of any specific circumstances warranting such a condition, this Court is of the view that the requirement to execute a bond with two sureties for a sum of Rs.10,000/- each is unnecessary and disproportionate, not required.

7. Accordingly, condition No.1 imposed by the learned Judicial Magistrate No.VII, Coimbatore in Crl.M.P.No.1474 of 2026 dated 19.02.2026 is set aside. The remaining conditions shall continue to operate. The petitioner's application for renewal of passport shall be processed in terms of the order passed by the Trial Court, subject to the modification made by this Court.

8. With the above directions, this Criminal Original stands allowed.

17-06-2026

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



To

1. The Judicial Magistrate No.VII,
Coimbatore

2. The Inspector of Police
D4 Kuniyamuthur Police Station,
Coimbatore,
Crime No.1647 of 2020

3. The Public Prosecutor,
High Court, Madras.

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CRL OP No. 15254 of 2



M.NIRMAL KUMAR, J.

PVS

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