

**IN THE COURT OF THE JUDICIAL MAGISTRATE NO.III ERODE**

Present : Thiru. S.R.Babu, B.A., B.L.  
Judicial Magistrate No.III, Erode.

Dated this 04<sup>th</sup> day of June 2026.

**M.P.No: 11/2026**

**in**

**CC No.256/2021**

Sundari,  
W/o.Ramesh.

....Petitioner/Wife of Accued No.3

// Vs //

State represented by  
Inspector of Police,  
Erode South P.S.  
in Cr. No:666/2019

.....Respondent/complainant

This case was coming before me for final hearing on this date 04.06.2026 and the Learned Assistant Public Prosecutor appeared for complainant and the Learned Counsel Thiru.M.Dhanraj appeared for the petitioner after perusing the arguments advanced by both sides this Court passed the following.

**ORDER**

The Petitioner has filed this petition and pray to issue an order declaring that this Court has no objection in granting permission for renewal of the Accused No.3 passport bearing number N9216151 in accordance with law.

2. On perusal of the petition this Court finds that the petitioner states that Accused No.3/Petitioner's husband is currently employed as a driver in Hyundai Company at Saudi Arabia and Accused No.3 is employed on a work VISA and it has to be renewed periodically every year, passport bearing number N9216151 is valid up to 21.07.2026 and due to the pending of the case in CC No.256/2021 U/s 120(B), 294(b), 406, 429, 506(i) of IPC on the file of this Court, despite submitting an

application for renewal of the passport of the Accused No.3 and is presently pending verification before the Inspector of Police, Erode Taluk Police Station.

2. Notice sent and reply received from the Additional Public Prosecutor and respondent police. The respondent police had filed their objection stating that the petitioner might settled in foreign countries if No objection certificate has been issued and which will affect the trial of the case proceedings and raised their objection to give No objection certificate.

3. Relying upon the Judgment of Hon'ble High Court of Madras in

**W.P. (MD) No.7082 of 2024 dt:27.03.2024**

**V.Arumugasamy Vs The Passport Officer and 2 others**

*“The Learned trial Judge shall bear in mind that right to travel abroad is a Fundamental right. The petitioner's career and avocation may be at stake if he is denied the right to go abroad. Therefore, the trial Court unless there are extraordinary circumstances shall not deny relief. Of course, the period of validity of passport will have to be restricted. It is also open to the trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India.”*

In which it is held that mere pendency of a criminal case is not a sufficient ground to deny passport renewal, and also directed the Court to permit the renewal of the passport.

4. Considering the contention of the petitioner and facts & circumstances of this case this Court has no objection to renewal of the passport bearing number, N9216151. In the result, petition is allowed.

Typed by the steno typist in the Court computer, dictated, corrected and pronounced by me on this day 04<sup>th</sup> of June 2026.

Judicial Magistrate No.III,  
Erode.