

IN THE COURT OF THE JUDICIAL MAGISTRATE NO. I, SIVAGANGAI.

PRESENT : Thiru.P.Selvam, B.Sc.,B.L.,
Judicial Magistrate No.I,
Sivagangai.

Dated this the 17th Day of March 2026

CrI.M.P.No. 365/2026

in

S.T.C.No. 200/2022

Ganesh Babu, S/o.Annadurai

.....Petitioner/2nd Accused

/VS/

1. State through the Sub Inspector of Police,
Sivagangai Town P.S,
Cr.No.24/2021.
2. The Regional Passport Officer,
Madurai Bharathi Ula Veethi Race Course Road,
Madurai.

....Respondents/Complainant

This Petition coming on this day for final hearing in the presence of Thiru.RMK.Ramprabhakar, B.A.,B.L., Advocate for the Petitioner/accused and Assistant Public Prosecutor Grade II for the respondent/Complainant and upon perusing the records and hearing the both sides, this court passed the following.

ORDER

1) The Petition has been filed under Section 6(2)(f) of passport Act, 1967 r/w order passed in W.P.(MD)No.3258 of 2026 for seeking renewal passport and permission to travel abroad.

2) The petitioner counsel stated that the petitioner has to renewal the passport due to the expire the date of validity. The petitioner/accused was implicated as an accused in Cr.No.24/2021 of Sivagangai Town P.S. The accused has to go to abroad for employment.

In the meanwhile, the passport authority reject to issue the passport since, the criminal pending against the petitioner/accused. Accordingly, the petitioner/accused had applied permission to travel abroad before the Hon'ble Madurai Bench of High Court, Madurai in W.P.(MD)No.3258/2026, dated:09.02.2026. In this regard the Hon'ble Madurai Bench of Madras High Court, Madurai has given direction to deal with the matter of return of passport for renewal purpose under the concern of jurisdictional trial court with proper condition in W.P.(MD)No.3258/2026, dated:09.02.2026.

3) The prosecution has raised objection to allow the petition. If the permission given to accused to travel abroad, he will abscond and evade the trial proceedings. Therefore, the case is unnecessarily pending for the reason of absconding accused by way of traveling abroad.

4) The passport authority can't reject the renewal of passport due to criminal case pending against the petitioner/accused. Until the trial is not completed, the petitioner/accused doesn't consider as a convicted person. Therefore, the petitioner is eligible to travel abroad under interim permission granted by the trial court. Accordingly, this court concluded that the petitioner has sought passport for genuine reason and accepted. Therefore, this court incline to allow the petition with following conditions.

- (i) The 2nd respondent is directed to consider the passport application of the petitioner for renewal within 30 days from the order of this court.
- (ii) The petitioner is permitted to travel abroad as per condition prescribed in Passport Act for person who involves criminal cases.
- (iii) The petitioner is directed to executed undertaking affidavit for ensuring the appearance before this court.

Accordingly, the petition is allowed.

Pronounced by me this the 17th day of March 2026.

**Judicial Magistrate No.I,
Sivagangai.**