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Crl.M.P.No.143 of 2026

**IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI**

**PRESENT: THIRU. J.KARMEGAKANNAN, B.A., B.L.,**

**JUDICIAL MAGISTRATE, KARAIKUDI**

**Thursday, the 12<sup>th</sup> day of March 2026**

**Crl.MP.No.143 of 2026**

**Crime No.21 of 2022**

**C.C.No.1498 of 2022**

**(On the file of Kallal Police Station)**

**CNR No.TNSV19 – 000 – 272 - 2026**

Amalraj,

S/o.Thainees,

Door No.27,

Koomachipatti, Paganeri,

Sivagangai District.

. . . Petitioner

Vs

1. The Regional Passport Officer,

Bharathi Ula Veethi,

Race Course Road,

Madurai – 625 002.

2.The State of Tamil Nadu,

Represented by its the Inspector of Police,

Kallal Police Station,

Sivagangai District.

. . . Respondents



On today, this petition coming for final hearing before me on 12.03.2026 in the presence of Advocate Thiru.P.Sethuraman for the Petitioner and being Respondent by the Learned Assistant Public Prosecutor. Upon perusing the records and having stood over for consideration, this court delivers the following.

**ORDER**

1.The present petition has been filed by the petitioner/1st accused seeking a direction to the 1st respondent Passport Authority to renew his passport.

2. The petitioner has submitted that he is the holder of Passport No. K3020870 and that he has submitted an application before the 1st respondent seeking renewal of the said passport. However, the 2nd respondent police raised an objection stating that C.C.No.1498 of 2022 is pending before this Court, in which the petitioner has been arrayed as the 1st accused. Hence, the petitioner approached the Hon'ble High Court by filing W.P.(MD) No.35210 of 2025 seeking a direction to consider his application bearing No. MD1075820987125. The said writ petition was disposed of on 09.12.2025 with a direction to the petitioner to approach this Court and seek appropriate orders. It is further submitted by the petitioner that C.C.No.1498 of 2022 has been taken on file before this Court for the offences punishable under Sections 294(b), 324, 109, 506(ii), 147 and 148 of IPC and the case has been pending



since the year 2022 and is presently posted for examination of witnesses. The petitioner has further submitted that he has a family and children to maintain and that his livelihood depends upon foreign employment. He has also undertaken to abide by any condition that may be imposed by this Court and therefore prayed for allowing the petition.

3. Per contra, the 2nd respondent has filed a counter contending that the criminal case is presently pending for examination of witnesses and that if the petitioner is permitted to travel abroad at this stage, the same would affect the progress of the trial. Hence, the 2nd respondent prayed for dismissal of the petition.

4. Though notice was served on the 1st respondent, the 1st respondent has not chosen to appear before this Court.

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

6. Admittedly, the petitioner is the 1st accused in C.C.No.1498 of 2022, which has been taken on file by this Court for the alleged offences under Sections 294(b), 324, 109, 506(ii), 147 and 148 of IPC. The case has been



pending before this Court since the year 2022 and at present it stands posted for examination of witnesses.

7. It is the contention of the petitioner that he is the holder of Passport No. K3020870 and that he has applied for renewal of the same before the 1st respondent. However, the renewal of the passport could not be processed due to the objection raised by the 2nd respondent police on the ground that the above criminal case is pending against the petitioner before this Court. It is also brought to the notice of this Court that the petitioner had approached the Hon'ble High Court by filing W.P.(MD) No.35210 of 2025 seeking a direction to consider his passport renewal application bearing No. MD1075820987125, and the Hon'ble High Court by order dated 09.12.2025 directed the petitioner to approach this court and seek appropriate orders.

8. The petitioner has further submitted that he is the sole breadwinner of his family and that he has children and dependents to maintain. According to the petitioner, his livelihood depends entirely upon employment opportunities abroad and therefore the renewal of the passport is essential for sustaining the livelihood of his family. The petitioner has also expressed his willingness to comply with any condition that may be imposed by this court and has undertaken to appear before this Court as and when required during the course of trial.



9. On the other hand, the 2nd respondent has opposed the petition by contending that the case is presently pending for examination of witnesses and if the petitioner is permitted to travel abroad at this stage, the same may affect the progress of the trial. The 2nd respondent has therefore expressed an apprehension that the presence of the petitioner may not be secured easily if he leaves the country and has prayed for dismissal of the petition.

10. Moreover, the 2nd respondent has not placed any material before this Court to show that the petitioner is involved in any other criminal case or that he has previously violated any condition imposed by this court. There is also no material to indicate that the petitioner has attempted to evade the process of law or that he poses a flight risk beyond the apprehension expressed by the prosecution.

11. Further, it is pertinent to note that the petitioner has already approached the Hon'ble High Court and the Hon'ble High Court has directed the petitioner to approach this Court for appropriate orders.

12. At the same time, the fact that the criminal case is pending for examination of witnesses and the presence of the accused may become necessary at certain stages of the trial. Therefore, adequate safeguards must be



put in place to ensure that the petitioner does not evade the judicial process and that the progress of the trial is not hampered in any manner.

13. In such view of the matter, this Court is of the opinion that the apprehension expressed by the 2nd respondent can be sufficiently addressed by imposing stringent conditions to ensure the presence of the petitioner whenever required and to safeguard the progress of the trial proceedings. Hence, this Court is inclined to allow the petition subject to strict conditions.

14. Accordingly, this petition is allowed, subject to the following conditions:

i) The petitioner shall execute a special vakalatnama under Section 205 of Cr.P.C. authorizing his counsel to represent him before this court during his absence.

ii) The petitioner shall file a typed affidavit before this court furnishing the following particulars that, his complete foreign residential address, contact number and email ID, name and address of the employer/company where he intends to work abroad.



iii) The petitioner shall also file an undertaking affidavit stating that he shall appear before this court as and when required by this Court during the course of trial.

iv) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties to the satisfaction of this court. One of the sureties shall be a close blood relative of the petitioner.

v) The petitioner shall provide his permanent Indian address and that of his family members to ensure communication.

vi) The petitioner shall not dispute his identity during the course of trial and shall not seek unnecessary adjournments on the ground of his absence abroad.

vii) The petitioner shall make himself available through video conferencing whenever directed by this court during the trial proceedings.

viii) The petitioner shall not tamper with prosecution witnesses or evidence in any manner.



ix) If the presence of the petitioner is found to be necessary for any stage of trial, he shall return to India and appear before this court within the time stipulated by this Court.

x) In case the petitioner fails to comply with any of the above conditions, this court shall be at liberty to cancel the permission granted and take appropriate steps including issuance of Non Bailable Warrant.

xi) On compliance of the above conditions, the 1st respondent Passport Authority is directed to renew the passport of the petitioner for a period of one year only, subject to verification of compliance of the conditions imposed by this court.

Typed by me in my computer, verified by me to be correct and pronounced in open court on 12th day of March, 2026.

Judicial Magistrate,  
Karaikudi.