

IN THE MAHALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT), THANJAVUR

**PRESENT: Tmt. J. Tamilarasi, B.Com.,M.L.,
Sessions Judge,
Principal Special Court for Exclusive Trial of
Cases Under Pocso Act, Thanjavur.
Full Additional Charge of Mahalir Neethimandram
(Fast Track Mahila Court),Thanjavur**

Saturday, the 28th day of March 2026

Criminal Miscellaneous Petition No. 795/2026

(CNR.No.TNTJ010012452026)

in

S.C. No. 20/2023

Muruganandham, aged 29/2022,
S/o. Vaithiyanathan

...

Petitioner/Accused

Vs.

State of Tamil Nadu rep. by Inspector of Police,
Pattukkottai Taluk Police Station,
(Cr.No.73/2022)

...

Respondent/Complainant

This petition coming on 11.03.2026 before me for final hearing in the presence of **Thiru.K.Vaithiyalingam**, Advocate for the Petitioner/Accused and **Tmt.P.Vijaya Priya**, Special Public Prosecutor for the Respondent/Complainant, after hearing both sides, upon perusing the case records, this court passed the following

ORDER

This petition is filed by the petitioner/Accused praying for issuing direction to the Regional Passport Officer, Thiruchirappalli so also to the Assistant Passport Officer, Thanjavur for renewal of his Passport bearing No. K3193238.

2) The learned counsel of the petitioner submitted that the petitioner/accused is having permanent residence. He is a law abiding citizen. He has not committed any offence. He is well qualified and educated person having Ph.d degree. He wants to go abroad for research work and to seek employment. He has obtained Passport No. K3193238. His passport is valid up to 13.03.2023. When he

applied for renewal of his passport, his application dated 28.10.2022 was refused by the Regional Passport Officer, Tiruchirappalli vide letter No.FCL/317557777/24 dated 03.04.2024 on the ground that criminal case is pending against him. The said refusal of his application for renewal is not legally sustainable since false case has been filed against the petitioner at the instigation of his enemies. The trial would reveal that the alleged charges against the petitioner is false. Due to the inaction of the respondent, the trial has not commenced. The petitioner undertakes to appear before this court whenever so required, without fail. He will not tamper the witnesses or cause any inconvenience for the trial. If the passport is renewed, he will not abscond and will not evade the process of court. If he wants to go to overseas on the basis of renewed passport, he will inform the same to this court and abide by the conditions that would be imposed by this court. If this petition for renewal of his passport is not allowed, the petitioner would be seriously prejudiced. The petitioner has also filed a Writ Petition in W.P.(MD)No.16563/2025 on the file of Hon'ble Madurai Bench of Madras High Court, Madurai, wherein the petitioner has been directed to approach the trial court and hence, this petition is filed before this court. Hence, it is prayed that the petition to be allowed.

3) On the other hand, the respondent/complainant has filed objection through Special Public Prosecutor. It is submitted on the side of the respondent by the learned Special Public Prosecutor that the petitioner is a History Sheeter in H.S.No.37/2022. He is already concerned in Pattukkottai Taluk Police Station Cr.No.1110/2020 u/s. 294(b), 323, 506(2) IPC r/w. 4 of Tamil Nadu Prohibition of Harassment of Women Act. Hence, the renewal of passport of the petitioner is strongly opposed on the side of the respondent. If the petition is allowed, the petitioner would abscond to foreign and this case cannot be disposed.

4) Heard both sides.

5) Now the point for consideration is whether this petition to be allowed or not?

6) **Point:** This petition is filed by the petitioner/Accused praying for issuing direction to the Regional Passport Officer, Thiruchirappalli so also the Assistant Passport Officer, Thanjavur for renewal of his Passport No. K3193238. In this case, the respondent/complainant has filed final report against the petitioner/accused for the offences punishable u/s.302 and 201 IPC. Already charge sheet has been filed, case committed to Hon'ble Principal District Court, Thanjavur and made over to this court for disposal. Charges have been framed against the petitioner/accused for the offences punishable u/s. 302 IPC and u/s.201 IPC. The case is pending at the stage of fixing of trial date. Though the petitioner has blamed the respondent for not commencing trial, it is pertinent to mention here that no Presiding Officer is appointed for this court for long time and the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur is placed full additional charge of this court and hence, the trial has not commenced.

7) Admittedly, the petitioner is holding Passport bearing No. K3193238. His application to the Passport Officials praying to re-issue his Passport has not been entertained. Hence, he has filed W.P.(MD) No.16563/2025 on the file of Hon'ble Madurai Bench of Madras High Court, Madurai to direct the Passport Officials to reissue his passport, has been dismissed with liberty to the petitioner to file suitable application before the court concerned for processing his application for passport/renewal of his passport. Hence, the petitioner has approached this court.

8) The case in S.C.No.20/2023 is pending for trial. The main relief prayed for in this petition by the petitioner is for renewal of his Passport No. K3193238. Though notice has been served to the Regional Passport Officer, Tiruchy and Assistant Passport Officer, Thanjavur, they have not appeared and stated their objection. Mere pendency of a criminal case is not a ground to refuse renewal of Passport. However,

if the petitioner wants to go abroad for his research or employment, he shall file separate application, get prior permission of the trial court and only then, leave the country. With the said condition, this court is inclined to allow this petition.

In the result, this petition is allowed.

Pronounced by me in the open court on the **28th day of March 2026**.

**Sessions Judge,
Mahalir Neethimandram,
(Fast Track Mahila Court),
Thanjavur (FAC)**