

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE  
AMBALAPUZHA**

Present : Aiswarya Ann Jacob

Judicial Magistrate of First Class

Dated this, the 30th day of December, 2025

**C. M. P. No.3218/2025 in C. C. No.189/2021**

(Crime No.797/2020 of Edathua Police Station)

Petitioner/Accused no.3 : Mathew Antony, S/o M.M. Antony, Molipadavil  
House, Karikkuzhi PO, Thalavady Village,  
Kuttanadu Taluk, Alappuzha District

Rep. by Adv. B. Subash

Respondent : State represented by the Sub Inspector of Police,  
Edathua Police Station

Rep. by A.P.P., Ambalapuzha

This petition having been heard on 23.12.2025 and the Court on 30.12.2025  
passed the following :

**ORDER**

1. This is an application filed by the 2<sup>nd</sup> accused on behalf of the 3<sup>rd</sup> accused seeking for a Clearance Certificate for the renewal of his passport.
2. The offence alleged against the accused is punishable u/s.420 r/w S.34 of Indian Penal Code.
3. According to the averments in the petition, the 3<sup>rd</sup> accused was residing at Sharjah in furtherance to his job and his passport has expired. Upon submitting

an online application for the renewal of the passport, it was intimated that a clearance certificate could not be granted due to the pendency of this case. It is hence contented that a clearance certificate appears to be necessary and that failure to grant the same would result in irreparable loss and hardship to the 3rd accused. Hence the petition.

4. Investigating officer filed report contending that grant of such permission would result in unnecessary delay in the trial of the case.
5. Heard both sides. Perused the records.
6. It is indisputable that the 3<sup>rd</sup> accused was granted exemption from personal attendance and was allowed to appear through his pleader as per order in CMP 4024/2022 dated 11/1/2023. But the present petition is filed by the 2nd accused on behalf of the 3rd accused. No authorization letter or Power of Attorney empowering the 2nd accused to file this petition has been adduced before this Court. In such circumstances, the maintainability of the petition itself becomes questionable. Since the 2nd accused has not been authorized to represent the 3rd accused, this petition cannot be entertained.
7. In the result, petition is dismissed.

(Dictated to the Confidential Assistant, typewritten by her, corrected and pronounced by me in open court, on this 30th day of December, 2025.)

Sd/-  
Judicial Magistrate of First Class  
Ambalapuzha