

IN THE COURT OF THE ADDL. SESSIONS JUDGE-I, MAVELIKARA

Present: Smt.V.G.Sreedevi, Addl. Sessions Judge-I

Saturday, the 22nd day of November, 2025/01st Agrahayanam, 1947

Crl.MP No.1996/2025 in SC 1339/2024

(Filed on:19.09.2025)

(Crime No. 230/2024 on the file of the Kareelakulangara Police Station)

Petitioner /

Accused : Mohanakumar Lekshmanan, aged 49,
S/o Lekshmanan, Maleetharayil, Evoor South,
Keerikkadu.P.O, Pathiyoor Village, Alappuzha,
PIN 690 508
(By Adv.S.Jeevakumar)

Respondents/

Complainants : 1. The Regional Passport Officer,
Passport Office,
Shihab Thangal Road,
Near IDBI Corporate Branch,
Panampilly Nagar, Kochi.
2. The Sub Inspector of Police,
Kareelakulangara Police Station
through Additional Public Prosecutor,
Mavelikara.
(By Adv. P.V.Santhosh Kumar,
Addl. Public Prosecutor, Mavelikara)

This petition have been finally heard on 19.11.2025 and the court on the 22.11.2025 passed the following.

ORDER

This is a petition filed by the sole accused in Crime No.230/2024 of Kareelakulangara Police Station with a prayer

to give direction to the Regional Passport Officer, Kochi to issue a duplicate passport and also for seeking permission to leave the country.

2. In the petition, it is alleged as follows:- The original passport of the petitioner bearing No.Y 9527163 with file No.CO 1076861333524 was lost. When he applied for a duplicate of the same, the Passport Authority reported that since the petitioner is an accused in a crime registered by the Kareelakulangara Police for the offences u/ss.323, 326 and 307 of IPC and that is pending before this Court, he has to provide sufficient explanation before the said authority. Hence, the petitioner preferred Crl.M.P.115/2025 and it was allowed with a direction not to leave the country without the permission of the Court. When the said order is produced before the Passport Authority, the petitioner is directed to produce the order of the Court permitting him to go abroad. The petitioner is in need of a duplicate passport so as to apply for VISA for joining a job in gulf country. The law providing guidelines for issuance and renewal of the passport laid down by the Hon'ble High Court in **Thadevoose Sebastian v. the Regional Passport Officer** in WP(C)No. 15182/2021. Hence, it is prayed that direction may be issued to the Passport Authority to issue a duplicate passport

as well as an order seeking to exempt him from personal appearance before the Court. He assured that his counsel shall appear on behalf of him.

3. The learned Additional Public Prosecutor opposed the application.

4. Heard both sides.

5. The only point that arises for consideration is:

Can the petition liable be allowed, as prayed for?

6. **The point:-** The petitioner is the sole accused in Crime No.230/2024 of Kareelakulangara Police Station registered for the offences u/ss.323, 324 & 307 of IPC. The case is pending before this Court. According to the petitioner, he lost his passport and he is in urgent need of duplicate of the same for joining a job in gulf country in order to maintain his family. His case is that when he applied for a duplicate, the Passport Authority informed that he is an accused in a criminal case, and he was called upon to provide sufficient explanation.

7. In the said background, the petitioner moved a petition before this Court as Criminal M.P.115/2025 with a prayer to give direction to the Passport Authority to issue a duplicate passport for him, and it was allowed. But, in the said petition,

there was no prayer for exemption of his personal appearance before this Court and hence, in the order it is made clear that *only after getting permission of this Court on the application preferred by the petitioner/accused, he can leave India.* It is the grievance of the petitioner that the Passport Authority did not issue a duplicate passport, and demanded for an order from this Court, permitting him to travel abroad, then only, duplicate passport can be issued. The petitioner is in need of a duplicate passport in order to apply for a job VISA so as to join a job in gulf country for maintaining his family. The petitioner assured that his counsel shall appear before the Court on behalf of him.

8. The learned counsel for the accused has relied upon the decision of the Hon'ble High Court in **Thadevoose Sebastian v. The Regional Transport Officer** in WP(C) 15182/2021, which contains the guidelines for the issuance/renewal of passport as well as granting of permission to travel abroad.

9. On consideration of the aforesaid facts, I am of the view that if the petition is not allowed, it may cause hardships to the petitioner, and his livelihood would be lost, causing detriment to his dependents. Therefore, I am inclined to allow this petition. Hence, the point is found in favour of the

petitioner.

10. In the result,

The petition is allowed, and the Regional Passport Authority, Kochi is directed to issue a duplicate passport in favour of the petitioner with No.Y9527163 for a period of two years. The petitioner is permitted to go abroad, thereby, his personal appearance in this Court is exempted only for a period of two years from the date of this order.

The petitioner/accused shall furnish his phone number as well as contact address along with the complete address of the sponsor, if any, with copy of passport before this Court. He shall undertake that he will appear before this Court as and when required and will not cause any impediment in the smooth completion of trial. He shall file an affidavit with respect to the aforesaid directions within one week from the date of receipt of this order.

(Dictated to the Confidential Assistant transcribed and typed by her, corrected by me and pronounced in open court on this the 22nd day of November, 2025).

**Sd/-
V.G.Sreedevi
Additional Sessions Judge-I**

Appendix: Nil

**Id/-
Additional Sessions Judge-I**