

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II,
ALUVA**

Present : Smt. Anju Cletus, Judicial First Class Magistrate

Dated, this the 03rd day of February, 2026

**CMP No. 01/2026 IN C.C. 587/2024 OF ELAMAKKARA POLICE
STATION**

Petitioners/ Accused No.2: Santhosh Abraham Thomas, Aged 60 years, S/o P.A. Thomas, 8-B, Anta Marvel Apartment, Aroor Bye Pass road, Kannadikadu, Vyttila, Maradu, Ernakulam.
(By Adv. Sailakshmi Menon)

Respondent : State represented by the Sub Inspector of Police, Elamakkara P.S Cr..No. 259/24)

(By APP, JFCM-II, Aluva)

ORDER

This petition is filed by the accused no.2 for releasing the passport and seeking permission to go Dubai, UAE for his business purpose for a period of one year.

2. The averments in the petition brief are as follows : The petitioner is the accused No.2 in Elamakkara Police Station Crime No. 259/2024 of Elamakkara P.S alleging commission of offences punishable under Section 406, 420 r/w 34 of the Indian Penal Code, 1860. It is submitted that he, the managing partner of the company named PBS Global which is conducting a building consultancy for the construction business, works in and around Dubai Emirate. It is also submitted that there is a board meeting to be held on 06.02.2026 regarding the day to day activities of the business, as the business concern consist of members from many countries. It is also submitted that the presence of the

petitioner is most needed for the board meeting of the petitioner's concern. In these circumstances, the petitioner needs permission of the court to travel to Dubai, UAE for a period of one year for his business purposes. Hence this petition.

3. The police submitted report before this court opposing these applications stating that if the passport is released to the accused and he is permitted to travel to Dubai there is every chance that he would abscond from the clutches of law hampering the trial.

4. Heard both sides.

5. The case against the accused no.2 has been taken on files of this court as CC 587/2024 and summons has been issued to all accused after taking cognizance. There is no reason before this court to prevent the accused no.2 from travelling to Dubai, UAE for his business purposes. There is every chance that the trial of the case will be hampered due to the absence of the accused. However, this court considers that the petitioner need not be absolutely prevented from going abroad due to the pendency of the case. Considering the gravity of the case this court is of the view that the petitioner can be permitted to go Dubai, UAE for a period of one year for his business purposes subject to stringent conditions.

In the result, the present petition is allowed as follows.

The petitioner is permitted to travel Dubai (UAE) in connection with his employment for a period of one year, if he is otherwise eligible for the same, upon the following conditions.

1. The petitioner shall be represented by a counsel of his choice on all posting days of the case during his absence.
2. The petitioner shall appear before the court as and when directed by the court.
3. The petitioner shall file affidavit to the effect that he shall have no dispute as to his identity in the proceedings conducted in his absence.
4. The petitioner shall surrender his passport before the court as and when directed or on expiry of one year from today which ever is earlier.

(Pronounced in the open Court on this the 03th day of February, 2026)

sd/-

Judicial First Class Magistrate -II, Aluva