

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS-I,
PERUMBAVOOR**

Present: Smt. Nimisha Arun, Judicial Magistrate of First Class

Friday the 22nd day of May, 2026/ 1st Jyaishta 1948

CMP No. 02/2026 IN CC No. 112/23

Petitioner/Accused : Siyad.H, aged 40, S/o K.M.Muhammed
Haneefa, Haneefa Manzil, Kozhancherry
Taluk, Pathanamthitta.

(By Adv.Ramesh Chand)

Respondent : State represented by the Sub Inspector of
Police, Perumbavoor P.S (Cr.No. 1355/22).

(By Nazeer S.M, APP Gr.I, JFCM-I)

ORDER

This petition is filed by the petitioner/accused for getting permission from the court for travel abroad and for getting police clearance certificate.

2. The case of the petitioner is that he is the accused in the above case. The offences alleged against the petitioner/ accused are punishable under Sections 279, 304(A) of IPC. The petitioner submitted that he got job visa in Malta. Thereby he is in need of a police clearance certificate for the above said job. As the petitioner is involved in the above case, a permission from the court is required for travel abroad and for getting Police Clearance Certificate. Hence the petition.

3. Heard the learned counsel for the petitioner. The Learned Assistant Public Prosecutor filed a report raising an objection since there is every chance to cause hindrance in the trial, if permission is granted as sought in this petition. Hence he prays to dismiss the petition.

4. Now it is well settled that the pendency of a criminal case shall not stand in the way or cause hindrance to decide the future of the petitioner/ accused. Moreover,

it is also held by the Hon'ble High Court of Kerala that pendency of a criminal proceedings is not a bar for obtaining permission even to travel abroad.

5. Hence in the interest of justice, this petition is allowed. The permission is hereby granted to the petitioner/accused to leave India for a limited purpose to go to Malta in connection with his job, as stated in the petition, for a period of one year. Permission is also granted for getting Police Clearance Certificate. It is made clear that the petitioner/accused must be present in court on all occasions as and when his presence is essential in this case during the trial. The petitioner shall make arrangements to receive the summons or other process issued to him and shall furnish to the court the name and address of the person whom she authorizes on this behalf.

Pronounced by me in open court on the 22nd day of May, 2026.

Judicial First Class Magistrate-I,
Perumbavoor