

**IN THE COURT OF THE ADDITIONAL SPECIAL SESSIONS JUDGE,  
(SPE/CBI)-III, ERNAKULAM**

Present :-

**SRI.SABARINATHAN. P, SPECIAL JUDGE.**

Tuesday, the 22<sup>nd</sup> day of October, 2024/30<sup>th</sup> Aswina, 1946.

**Crl. M.P. No. 683/2024 and 687/2024**

in

**S C No. 421/2020**

**Crl. M.P. No. 683/2024 :**

**Petitioner/Accused No.32** : P. Jayarajan, S/o Kunhiraman,  
aged 67 years, Residing at Kairali,  
Pookode P.O., Pattiyam Amsom,  
Kongatta Desom, Thalasseery Taluk,  
Kannur District – 670643.

**Represented by** : Advs. K. Viswan & Arun Bose D.

**Respondent/Complainant** : The Central Bureau of Investigation,  
Special Crime Branch,  
Thiruvananthapuram, represented by  
Public Prosecutor – CBI.

**Represented by** : Sri. M. Navas,  
Senior Public Prosecutor.

**Crl. M.P. No. 687/2024 :**

**Petitioner/Accused No.32** : P. Jayarajan, S/o Kunhiraman,  
aged 67 years, Residing at Kairali,  
Pookode P.O., Pattiyam Amsom,  
Kongatta Desom, Thalasseery Taluk,  
Kannur District – 670643.

**Represented by** : Advs. K. Viswan & Arun Bose D.  
**Respondent/Complainant** : The Central Bureau of Investigation,  
Special Crime Branch,  
Thiruvananthapuram, represented by  
Public Prosecutor – CBI.

**Represented by** : Sri. M. Navas, Senior Public Prosecutor.

These petitions are coming on for hearing on 22<sup>nd</sup> day of October, 2024 in the presence of Counsel on both sides having stood over for consideration on the same day the Court delivered the following:

### **COMMON ORDER**

These applications are filed by the 32<sup>nd</sup> accused for releasing his passport for renewal for ten years and also seeking permission to go abroad, to stay along with his son who is employed in Dubai.

2. According to the petitioner, he is charged for the offences punishable u/s. 143, 147, 148, 447, 450, 506(i), 364, 341, 323, 324, 307, 302, 109, 201, 118 and 120B r/w.149 IPC. As per order in Criminal M.P. 2970/2022, dated 01.11.2022, the petitioner was permitted to apply for Indian passport for the limited period of one year and on getting the renewed passport, he was directed to produce the same before this Court. Accordingly after getting the passport, he produced the same before this Court. Later the petitioner was permitted to go abroad i.e. Dubai for a period of one month, the passport was ordered to be released and on return

to India, he was directed to produce the passport on or before 13.11.2023 (vide order in Crl. M.P. 2616/2023 dated 12.10.2023). He went to Dubai and after returning to India, he surrendered the passport before this Court on 13.11.2023. According to the petitioner, the validity of the passport, which was already issued for a limited period of one year, has been elapsed and as such he prays to permit him to renew the passport for a period of ten years, as he intends to travel Dubai to stay along with his son and also for some other purposes. Hence he filed these applications.

3. Notice in these applications has been given to the learned Public Prosecutor and he has filed counter.

4. Both sides were heard and perused the available records.

5. Now the point that arises for consideration is as follows :-

Whether there is sufficient ground to release the passport of the petitioner for its renewal for ten years and to allow the petitioner to go abroad?

6. **The Point:-** The learned counsel for the petitioner submitted that release of the passport of the petitioner for its renewal and also to permit him to go abroad is very essential and the same will not affect the interest of the prosecution. Hence he prays to allow these applications. The learned Prosecutor opposed the application.

7. I have considered the submissions made by either side and perused the records. The passport of the petitioner is kept in SC. 343/2017. Perusal of the passport shows that the validity of the same was for a period from 24.05.2023 to 23.05.2024. Therefore, it is evident that the validity of the passport of the petitioner has already expired. It is essential for the petitioner to renew the said passport for the purpose of going abroad. The prayer of the petitioner is to permit him to renew the passport for a period of ten years. The said prayer is opposed by the Prosecutor. The learned counsel appearing for the petitioner fairly conceded that the renewal can be at least for a period of three years. I am satisfied that the passport of the petitioner can be released in his favour for the purpose of its renewal for a limited period of three years and he can be permitted to go abroad, i.e. Dubai as and when required, on getting separate permission from this Court. Hence I am inclined to allow Crl. M.P. 687/2024 and to allow Crl. M.P. 683/2024 in part limiting the renewal of the passport for a limited period of three years. I am also satisfied that allowing these applications as referred to above will not adversely affect the interest of the prosecution, as examination of the witnesses is not scheduled so far. Point answered accordingly.

In the result, Crl. M.P. 687/2024 is allowed and Crl. M.P. 683/2024 is allowed in part and the passport of the petitioner bearing No.X 8997801 is ordered to be released in favour of the petitioner for the purpose of its renewal for a period of three years from the date of its renewal. The petitioner is ordered to execute a bond for ₹1,00,000/- (Rupees One Lakh only) with two solvent sureties each for the like sum in SC. 343/2017, as the passport is kept in that case and as such no separate bond is to be executed in this case. The petitioner shall produce his renewed passport within seven days of its renewal in SC 343/2017. The petitioner shall thereafter file separate application to go abroad furnishing the details of the proposed journey.

Dictated to the Confidential Assistant, transcribed and prepared by her in computer, corrected by me and pronounced in open Court on this the 22<sup>nd</sup> day of October, 2024.

Sd/-  
**Sabarinathan. P**  
**Special Judge, (SPE/CBI) – III**  
**Ernakulam**

**Appendix:-** Nil.

Sd/-  
**Special Judge, (SPE/CBI)-III**

Typed by:-  
Compd by:-

Common Order  
in  
Crl, M.P 683/24 and 687/24  
in  
SC 421/2020  
Dated 22.10.2024