

IN THE COURT OF JUDICIAL MAGISTRATE OF FIRST CLASS, ANGAMALY

Present: Smt. Samyuktha M.K., Judicial First Class Magistrate

Dated, this the 5th day of June, 2026

CMP : 1/2026 in CC 1020/2020

(Cr. No. 832/2020 of Angamaly Police Station)

Petitioner/Accused no.2 : Krishna, Aged 34 years,
W/o. Rahul Venugopal, Haripriya,
Vakayil House, Kothakulangara,
Angamaly-683572.

(By Adv. Isac Sanjay)

Respondent : State represented by the Station House
Officer, Angamaly Police Station in
Cr.No: 832/2020 of Angamaly Police
Station.

(By Smt. Divyadas, Asst. Public
Prosecutor, Court of JFCM, Angamaly).

Petition : Seeking No Objection to renew passport.

ORDER

1. The above CMP No. 1/2026 is filed u/s. 22 of the Passports Act, 1967 by the accused in CC 1020/2020 on the file of this court.

2. The petitioner is the second accused in CC 1020/2020 (Cr.No. 832/2020 of Angamaly Police Station) alleging offences punishable u/s. 406, 420 r/w 34 of IPC.

3. The petitioner submits that, she is the first accused in the above nubered case. Petitioner is the holder of Indian Passport bearing no.P1903063, issued on 20.06.2016 with a validity period of ten years. The said passport is due to expire on 19.06.2026. In view of the impending expiry of the passport, the petitioner is required to intimate the process of renewal before the competent Passport

authority. The Petitioner's husband is presently employed and residing at Sharjah, United Arab Emirates. The petitioner ordinarily resides with her husband and family at Flat No.1002, 501, Al Majaz 3, Sharjah Main City, UAE. The petitioner's continued residence in the UAE is dependent upon maintaining valid travel and identification documents including a valid passport. Renewal of passport is essential for maintaining her legal immigration status, residence permit, banking facilities, travel documents and other statutory requirements in UAE. Hence, this petition to renew her passport bearing no.P1903063 for a period of 10 years.

4. The notice of the above petition was served on the prosecution, and a report has been filed by the Sub Inspector of Police, Angamaly Police Station opposing this petition.

5. Heard both sides and perused the records.

6. Government of India Notification GSR 570(E) dated 25.08.1993 issued under Section 22(a) of the Passports Act allows Courts before which criminal proceedings are pending against a person, to pass an order permitting such person to depart from India and to exempt that person from the operation of Section 6(2) (f) of the Act. As held by the Hon'ble High Court in ***Thadevoose Sebastian v. Regional Passport Office (2021 (5) KHC 625::2021 (5) KLT 531)***, the grant of the permission enabling an accused to travel abroad is of great significance, since it is a process of balancing the fundamental right of a citizen to travel abroad and the need to ensure the presence of the accused during trial. During trial, the presence of the accused is needed for his identification in court as the offender, and to ensure that he does not flee or evade the process of the law so as to escape punishment if convicted. His presence is also necessary in light of the mandate u/S. 273 of the Cr.P.C., that the evidence must be recorded in presence of the accused. The report submitted by the Prosecution does not reveal any other criminal antecedents or disclose any specific risk of the accused fleeing or evading

the trial. The objection taken in the report is on the grounds that if the accused goes abroad, it would impede the trial to be conducted by this Court. However, that objection can be met with the imposition of appropriate conditions to ensure the smooth progress of the trial and to secure the personal attendance of the accused whenever required.

7. In these circumstances, this court is of the view that, this petition should be allowed. There exist no circumstances that necessitate rejection of this petition. Consequently, it is ordered that the petitioner is exempted from the operation of S.6(2)(f) of the Passports Act, subject to the following conditions that:

- (a) This court has no objection to renew the passport of the petitioner, due to the pendency of CC 1020/2020 (Cr.No. 832/2020 of Angamaly Police Station) on the files of this court, for a period of three years from today (05.06.2026), as provided under clause (f) of sub section 2 of section 6 of The Passport Act read with Notification issued by the Govt. of India GSR 570(E) dated 25-8-1993.
- (b). The Petitioner shall execute a bond for Rs. 1,00,000/- with two sureties each for the like sum ;
- (c). The Petitioner shall personally appear before this Court as and when directed without fail; and
- (d). The petitioner shall ensure that investigation/trial of the case is not delayed on account of her absence.
- (e) The petitioner shall produce the copy of passport before this court by the petitioner when it obtained and shall produce the passport as and when required.

(Dictated to the Confidential Assistant, transcribed by her, corrected and pronounced by me in open court on this, the 5th day of June, 2026).

Sd/-
Judicial First Class Magistrate,
Angamaly.