

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE  
TRIPUNITHURA**

**Present: Miss. Athira R S Panicker, Judicial First Class Magistrate**

**Dated this the 27<sup>th</sup> day of August, 2025.**

**Crl. M.P. No.1816/2025 in CC.1452/2015**

Petitioner/  
Accused No.1 : Suni, Aged:32/12, S/o.Abdul Kareem,  
Kavumkal House, Amballoor Village,  
Ernakulam District.  
(By Adv. Sreekumar D.Menon)

Respondent : Kerala State represented by Sub Inspector of  
Police, Hill Palace Police Station in Cr.  
No.170/2013.  
( By Assistant Public Prosecutor)

Order : Allowed

**ORDER**

This is a petition filed under section 6 (2) (f) r/w Section 22 of Passport Act, 1967, to go abroad for the job purpose of the petitioner, who is the accused No.1 in this case.

2. **Petition averments in brief is as follows:** - Petitioner herein is the accused No.1 in this case. Offence alleged are punishable u/s.498(A) r/w 34 of the IPC. His passport is bearing No.AE433280. The petitioner is working as Marketing Executive in “DIVA SECRET INTERNATIONAL”. The said company’s international convention and launching of new product is held at Thailand on 02.05.2025 to 05.09.2025. Since he is the Marketing Executive of the said company, it is highly necessary to attend the above said programme. The company is also issuing the Flight tickets for the same. If the petitioner is not attending the said programme, it will cause irreparable injury and hardship to the petitioner/accused No.1. Hence the petition.

3. Heard.

4. Though the Passport Authority can refuse to issue a passport to a person against whom criminal proceedings are pending, u/s. 6 (2) (f) of the Passport Act 1967, the Central Government may u/s. 22 (a) of the said Act, exempt any person or any class of persons from the operation of any provisions of the Act. Accordingly, the Central Government has issued notification No. GSR 570 (E) dated 25.08.1993 (published in the Gazette of India, Extra, Part II S. 3 (i) dated 25.08.1993) under clause (a) section 22 of Passports Act, 1967. By the said notification, the citizens of India against whom proceedings in respect of an offence alleged to have been committed by them, are pending before a criminal court in India and who produces orders from the court concerned permitting them to depart from India, are exempted from the operation of the provisions of clause (f) of sub section 2 of section 6 of the said act. The said notification also lays down certain conditions including a condition that the said citizen shall give an undertaking in writing to the passport-issuing-authority that he shall, if required by the court concerned appear before, at anytime during the continuance in force the passport so issued. In *Ashok Kumar v. State of Kerala (2009 2 KLT 7601)*, the Hon'ble High court of Kerala has categorically held that even in cases relating to passport offences, the court can grant no objection to apply for fresh passport, subject to necessary conditions.

5. In the instant case, there is no reason why the accused should not be allowed to travel abroad in connection with his job purpose.

6. For the aforesaid reasons, permission is granted to the accused for attending company's international convention and launching of new product at Thailand on 02.05.2025 to 05.09.2025.

(Pronounced by me in Open Court on this the 27<sup>th</sup> day of August, 2025.)

Sd/-  
Judicial First Class Magistrate  
Tripunithura

//True copy//

Judicial First Class Magistrate  
Tripunithura



