

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-III,  
N.PARAVUR**

Present:- Smt. Sanitha.M.C, Judicial First Class Magistrate

Tuesday the 2<sup>nd</sup> day of September, 2025/ 11<sup>th</sup> Bhadrachadam, 1947

**CrI.M.P No. 3655/2025 in CC 551/2023**

Petitioner/Accused : Sojan Thomas, aged 35 years, S/o Thomas,  
Payyapilly House, Pandikkadavu, Olimkadavu,  
Manglamdam, Alathur, Palakkad, Pin-678706.

(By Adv. Sreekanth.K.M)

Respondent/Complainant : State of Kerala represented by  
Sub Inspector of Police,  
North Paravur.P.S through  
Assistant Public Prosecutor,  
JFCMC-III, N.Paravur,

(By Smt.Chitra Kesavan APP-Gr-II, JFCMC-III, North  
Paravur)

The petition coming on this day for hearing, the court passed the  
following :-

**ORDER**

1. This petition has been filed by the counsel for the petitioner/accused in the Crime 867/2020 of North Paravur police station for granting permission to the petitioner/ accused to go abroad and to grant passport to the petitioner/ accused

2. Petition summary is as follows:- Petitioner is the accused in CC 551/2023.The offences are punishable under section 279, 304(A) IPC. It is submitted that petitioner had got offer from Ireland for an employment and petitioner is the only bread winner in his family. He is on bail in this case. It is submitted that he will not raise any dispute regarding his identity at stage of the proceedings. The petitioner is ready and willing to cooperate with this Hon'ble court till the disposal of the case. It

would not affect the trial of the case in any manner. It is respectfully submitted that the Hon'ble Court may kindly be pleased to grant passport and allow him to travel overseas. Hence this petition.

3. Copy served to learned APP. Sub Inspector of police, North Paravur police station filed report stating that if the petition is allowed, there will be delay in the trial of this case and it would adversely affect the defacto complainant.

4. Heard both sides.

5. Point for consideration.

Is the CrI.M.P allowable ?

6. The point

This is a petition to grant passport and allow him to travel overseas during the pendency of this case. Petitioner is the accused he is on bail in this case. Particulars of offence were read over and explained to accused and summons to witness is issued.

7. As per the notification on number **G.S.R 570(E) dated 25.08.1993 issued by Ministry of Govt.of India**, and relied on the following decision for granting issuance of no objection certificate, **Mohammed Shafi Vs. Regional Passport Office 2017(2) KHC 484, Ashok kumar Vs. State of Kerala 2009 (5) KHC 557, Mohammed Vs. State of Kerala 2012(4) KHC 553** which held that '*when the magistrate is considering any such application it is always open to the Magistrate to specify a period enabling the petitioner to travel abroad or issue a direction to issue passport for a specific period in accordance with facts and circumstances of each and every case*'.

8. *The accused prayed for grant of passport and to permit him to travel abroad. The petitioner ought to have sought for issuance of no objection to issue passport to him by the Passport authority. The petitioner has also not mentioned the period of validity of the passport. So I am of the opinion that if accused is given no objection to obtain passport for a period valid for two years, it will not affect the trial of the case. The petitioner shall obtain permission of this court before going abroad*

and file affidavit, that he will not dispute his identity during trial. He shall also be present before the court as and when required by the court. I am inclined to allow this petition. The CrI.M.P is allowed on the following conditions.

1. The petitioner shall be represented by his counsel on all postings of the case.
2. The petitioner shall apply for exemption under section 205 CrPC, before going abroad and file affidavit, that he will not dispute his identity during trial.
3. The petitioner shall produce the visa and details of the employer before he goes abroad.
4. He shall also produce his residential address and contact number abroad, before he goes abroad.

**Issue No Objection to the petitioner to apply for passport valid for two years.**

Pronounced in open court on this the 2<sup>nd</sup> day of September, 2025.

Sd/-

Judicial First Class Magistrate-III,  
N.Paravur

//True copy//

Judicial First Class Magistrate-III,  
N.Paravur