

**IN THE COURT OF SPECIAL JUDICIAL FIRST CLASS MAGISTRATE**  
**(MARAD CASES), KOZHIKODE**

*Present: Sri. K S Akshay Mohan, Special Judicial First Class Magistrate*  
*(Marad Cases), Kozhikode*

Dated this the 18<sup>th</sup> day of April, 2026

**CMP No. 4 of 2026 in CC No 31 of 2022**

Petitioner/Accused No.2 : Ahammed Farhan, aged 27 years,  
S/o Zakeena P,  
Thazhathu Veetil House, Vaidyarangadi (PO),  
Near RHSS Ramanattukara, Kozhikode.  
(By Adv. Stephy Joshy C)

Respondent/complainant : State of Kerala, Rep. by SHO,  
Feroke Police Station, Kozhikode in Crime  
No.102/2021.  
(By Smt.Ayswarya K G APP, Grade-II)

Offence : U/s. 341, 323, 294(b) r/w 34 of IPC.  
Order : Allowed.

This petition having come for hearing before this court on the 17<sup>th</sup> day of April, 2026 and this court on this the 18<sup>th</sup> day of April 2026 passed the following:

**ORDER**

1. This is an application filed by the accused No.2 in the above case under section 6(2)(f) of the Passport Act, 1967.
2. The petitioner's case in brief is as follows:- The petitioner is the accused No.2 in the above case. Petitioner submits that, he is the holder of Indian Passport No.AE005670, the validity of which expires on 10.07.2026. Now the petitioner intends to seek a job in Dubai and therefore wants his passport to be renewed.

Hence, the petitioner seeks permission to go abroad for a period of 5 years and to get his passport renewed.

3. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Report was filed. The learned APP raised only a formal objection in allowing the petition.
4. In this case, the reason behind the renewal of passport is that the petitioner is seeking job in Dubai and intends to go there. The Hon'ble High Court of Kerala in ***Umesh v. Union of Indian and Another***, (reported in 2019 KHC 4848), wherein it was held that the pendency of a criminal case is not a bar to renewal of passport if the applicant obtains permission from criminal court concerned to travel outside India. If the applicant is granted permission to travel abroad, then he has to produce the said order before the Passport Officer who will thereupon renew the passport.
5. In this case, the petitioner is on bail with two solvent sureties. As per the order in CMP No.6 of 2026 the personal appearance of the petitioner is exempted for a period of two years from the date of the said order. Considering that the present case pertains to an incident from the year 2021 and the fact that the final disposal of the case is likely to take considerable time, this Court is of the finding that the permission sought by the petitioner deserves to be allowed in the interest of justice. The reasons stated in the application appear to be bona fide, and in order to advance the ends of justice, permission is hereby granted to the petitioner to go abroad for a period of two years from the date of this order since he is seeking job in Dubai. Permission is also granted for the renewal of the petitioner's passport for a period of two years from the date of expiry of the passport. The mere pendency of the present criminal proceedings shall not be treated as a bar for the said renewal.
6. Hence, this petition is allowed as follows:
  - i. Permission is granted to renew the passport of the petitioner, if the application is otherwise in order, for a period of two years on the expiry of the passport.

- ii. Permission is hereby granted to the petitioner to go abroad for a period of two years from the date of this order.
- iii. It is clarified that the permission hereby given is applicable only to CC 31/2022 pending before this Court and if the petitioner is involved in any other case/cases he will have to obtain separate permission.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court, on this the 18<sup>th</sup> day of April, 2026)

**Special Judicial First class Magistrate  
(Marad cases), Kozhikode**