

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST
CLASS - I, KOTTARAKKARA.**

Present:- Sri. Arjun Raj. E. R., Judicial Magistrate of the 1st Class.

Dated this the 21st day of January, 2026

Crl. M. P. No.2/2026 IN CC No.734/2016

Petitioner/ 5th Accused : Arun. A., aged 37 years, S/o Appukuttan,
Aneesh Bhavan, Kottara, Thuthiyoor,
Meeyannoor.P.O., Kollam District.
(By Adv. V. P. Prasanth)

Respondent : State represented by the Assistant Public
Prosecutor, Kottarakkara

Heard, perused the records and passed the following:

ORDER

1. This is an application filed by the petitioner/ 5th accused in the aforesaid case, seeking an order of this Court to give direction to the Passport Officer to renew his passport. The offences alleged are under sections 341, 323, 324, 506 (ii) r.w 34 of IPC.
2. The petitioner, who is the fifth accused in the present case, respectfully submits that he is the holder of Passport bearing No. G4698679. The petitioner requires to travel abroad for employment in order to sustain his livelihood, and for that purpose, renewal of his passport is essential. However, in view of the pendency of the present criminal proceedings before this Hon'ble Court, the renewal process can only be undertaken with the Court's permission. Denial of such permission would cause serious hardship and irreparable loss to the petitioner. Hence, the petitioner respectfully prays that this Hon'ble Court may be pleased to issue appropriate directions to the Passport Officer to permit renewal of his passport.

3. Heard the counsel for the petitioner and the Learned Assistant Public Prosecutor. Learned Assistant Public prosecutor stated no objection to allowing the petition.
4. In this case, the reason behind the renewal of passport is to travel abroad for job and livelihood of the petitioner. The Hon'ble High Court of Kerala in ***Umesh vs Union of Indian and Another, 2019 KHC 4848***, wherein it is 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. Considering that the present case pertains to an incident from the year 2016, and that the fifth accused is already enlarged on bail, coupled with the fact that the final disposal of the case is likely to take considerable time, this Court is of the view 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 for the renewal of the petitioner's passport for a period of two years. The mere pendency of the present criminal proceedings shall not be treated as a bar for the said renewal.
6. Petitioner shall seek permission of this court before he leaves the country.
7. Hence, CMP allowed. Permission is granted to renew the passport of the petitioner, if the application is otherwise in order, for two years.

Pronounced in open court on this the 21st day of January, 2026.

Sd/-

Judicial Magistrate of the 1st Class-I, Kottarakkara.

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Judicial Magistrate of the 1st Class-I, Kottarakkara.ra.