

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

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

Dated this the 7th day of November, 2025

Crl. M. P. No.2755/2025 IN CC No.668/2019

Petitioner/ 4th Accused : Suraj, aged 25 years, S/o Sugathankutty,
Revathy Mandiram, Moozhikkodu,
Kottathala Padinjara Muri, Mylom Village,
Kottarakkara Taluk.
(By Adv. D. Unnikrishnan)

Respondent : 1. The Regional Passport Officer,
The Regional Passport Office,
Thiruvananthapuram.
2. State represented by SHO,
Kottarakkara.
(By Smt. Shyla Mathai, A.P.P. Gr. - I, Kottarakkara)

Heard, perused the records and passed the following :

ORDER

1. This petition is filed by the petitioner/ 4th accused in CC No.668/2019 (Crime No.1081/2008 of Kottarakkara Police Station), seeking permission to obtain new passport.
2. According to the petitioner, he is intending to go abroad for job and therefore seeking permission to obtain passport. He now intends to go abroad for employment purposes and is therefore seeking permission to obtain a passport.
3. Heard the learned Counsel for the petitioner and the learned Assistant Public Prosecutor.
4. The petitioner is the fourth accused in this case. The petitioner intends to travel abroad for employment but due to pendency of the criminal case, he is denied his right of obtaining passport. Accordingly, he has approached this Court

seeking permission to obtain passport. The mere pendency of the present case does not, by itself, constitute a legal bar to the issuance of a passport. The present case is in trial stage and denying the petitioner to go abroad will curtail his right to livelihood.

5. Further as per the decision of Honourable High Court in **Mohamad Shafi v. Regional Passport Officer 2017 (2) KHC 484**, it was 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 a passport for a specified period in accordance with the facts and circumstances of each and every case*”. Hence, after taking into consideration the fact that the case originates from the year 2019, along with other relevant facts and materials on record, this Court deems it appropriate to permit the issuance of a passport to the petitioner for a period of two years, subject to his eligibility under the applicable rules. However, the petitioner shall not leave the territory of India without obtaining prior permission from this Court.

Pronounced in open court on this the 7th day of November, 2025.

Sd/-

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

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