

**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 9th day of June, 2026

Crl. M. P. No.2/2026 IN CC No.888/2023

- Petitioner/ Accused : Krishnakumari, W/o Raveendran,
Valavil Vadakkathil Veedu, Vendar.P.O.
(By Adv. S. Pushpanandan)
- Respondents : 1. State represented by the Assistant Public Prosecutor-I,
Kottarakkara.
2. The Passport Officer,
Passport Office, Kollam.

Heard, perused the records and passed the following :

ORDER

1. This petition is filed by the petitioner/accused in CC No.888/2023 (Crime No.2946/2022 of Kottarakkara Police Station), seeking permission to obtain new passport.
2. According to the petitioner, she is a accused in Kottarakkara Police Station Crime No.2946/2022 for the offences under sections 294(b), 342 and 353 of IPC. She submits that her son and his family are presently residing abroad, and her daughter-in-law is unwell and she intends to go abroad to take care of her and therefore seeking permission to obtain passport. Hence the petition.
3. Heard the learned Counsel for the petitioner and the learned Assistant Public Prosecutor.
4. The petitioner is the accused in this case. The petitioner intends to travel abroad to take care of daughter-in-law but due to pendency of the criminal case, she is denied her right of obtaining passport. Accordingly, she 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 her right to take care of daughter-in-law which adversely may affect her family relationships.

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 2023, 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 *three* years, subject to her 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 9th day of June, 2026.

Sd/-

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