

**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 October, 2025

Crl. M. P. No.2446/2025 IN CC No.2435/2020

Petitioner/ Accused : Abraham Chacko, aged 74 years, S/o Chacko,
Paravila Veedu, Malavila, Ambalakara,
Ummannoor Muri, Ummannoor Village,
Kottarakkara Taluk.
(By Adv. Sathyarajan Pillai. D.)

Respondent : State represented by the Assistant Public
Prosecutor, Kottarakkara.

Heard, perused the records and passed the following :

ORDER

1. This petition is filed by the petitioner/ accused in CC No.2435/2020 (Crime No.507/2020 of Kottarakkara Police Station), seeking permission to obtain new passport for travelling abroad from October 10 to November 10, 2025.
2. According to the petitioner, he is the accused in the case and has already been granted bail. He now intends to go abroad (Doha) for first holy communion of his grandson 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 accused in this case. The petitioner intends to travel abroad for first holy communion of grandson 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 affect his right of travelling abroad to enjoy his grandsons holy communion.

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 2020, along with other relevant facts and materials on record, this Court deems it appropriate to issue a no objection certificate to permit the issuance of a passport to the petitioner for a period of two years, subject to his eligibility under the applicable rules.
6. Petitioner is also permitted to leave for abroad from 10th of October, 2025 till 10th November, 2025.

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

Sd/-

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

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