

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE - III,
NEYYATTINKARA**

Present: Sri.Albin J. Thomas,
Judicial First Class Magistrate - III

Dated: Tuesday, 17th February, 2026/ 28th Magha, 1947

CMP No. 01/2026 in CC No. 180/2024

(Crime No. 72/2010 of Balaramapuram Police Station)

Petitioner/ 14th Accused : Saleem, S/o Muhammed Kannu,
Saharban Manzil, Manali Road,
Balaramapuram,Venganoor,
Pallichal Village.

Respondent : State - represented by the Sub Inspector of
Police, Balaramapuram in Crime No. 72/2010.

Order : Petition allowed.

Represented by Adv. P.C.Vijayakumar
Represented by Sri. Vishnu Thampi, APP)

ORDER

1. This is a petition filed by the petitioner/ 14th accused Saleem @ Muhammed Abdul Saleem in CC 180/2014 through his counsel for permission to renew his passport and to go abroad for the purpose of Umrah Spiritual Holiday tour.
2. Contention of the petitioner is that the passport bearing No. M7737034 which he had obtained already was expired on 30.03.2025. Now he is intending to go abroad in connection with Umrah Spiritual Holiday tour. For going abroad he is in need of renewal of his passport. Since the case against the accused is pending, he is unable to renew passport without the permission of the court.
3. The offences alleged against the accused is under Section 143, 147, 149,

506(i) and 353 of IPC.

4. Heard both sides.
5. The prayer in the petition has been opposed by the learned Assistant Public Prosecutor.
6. The counsel for the petitioner submitted that the 14th accused is in need of the permission of this court to renewal of passport.
7. It is seen that the petitioner/ 1st accused is on bail in the aforementioned case. Charge was framed against the accused in this case.
8. Learned APP submitted that if permission is granted to the accused to renew passport and to go abroad he will be depart to foreign country and his presence could not be procured. The apprehension of prosecution can be curtailed by imposing suitable conditions.
9. Having considered the ruling of Hon'ble High Court of Kerala in ***Akhilesh V State of Kerala and others 2021(2) KLT 553*** and notification ***No.GSR570(E) dated 25-08-1993*** issued by Ministry of External Affairs of Central Government this petition is allowed subject to following conditions.
 - (1) Permission is hereby granted to the petitioner/ 14th accused for a period of one year to renew his passport if he is otherwise eligible.
 - (2) Permission is granted to the petitioner / accused No.14 to leave the jurisdiction of this court to go abroad for a period of one year for Umrah Spiritual Holiday tour.
 - (3) The period of one year shall commence from the date of issuance of the Passport/ travel documents.
 - (4) The petitioner shall deposit cash security of ₹.10,000/- (Rupees ten

thousand only) and he shall execute a bond undertaking to forfeiture this amount to government in case of his failure to appear before court on direction.

- (5) The passport authority shall ensure deposit of the amount before the court by verifying the receipt issued by this court.
- (6) The petitioner shall make application for the required travel documents within one month from the date of this order.
- (7) This court has no objection in granting police clearance certificate to the petitioner for the purpose of going abroad for a period of one year.
- (8) He shall file an affidavit stating that he would appear before the court as and when required.

Pronounced by me in open court, this 17th day of February, 2026.

Sd/-
Judicial First Class Magistrate - III
Neyyattinkara

//True Copy//

sk/-

Judicial First Class Magistrate - III
Neyyattinkara