

IN THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE
FOR THE TRIAL OF FOREST OFFENCES, NEDUMANGAD.

Present:- Haritha. G. H, Judicial I Class Magistrate for the trial of forest Offences,
Nedumangad.

Saturday 07th day of March, 2026

CRL. M.P. No. 01/2026 in CC 714/2015
(Nedumangad Police Station Crime No. 921/2015)

Petitioner : Nihas. N, Aged 35 years, S/o Nizarudheen, Nihas Manzil,
Chiraykkal veedu, Uliyoor, Pazhakutty. P.O, Nedumangad
village.
(By Adv. Sri. A. S. Shibi)

Respondent : State represented by the Sub Inspector of Police,
Nedumangad Police station.

(By Sri. Navajoth, APP- Gr.II)

This petition came up for hearing and the court delivered the following :-

ORDER

This petition is filed by the petitioner / 1staccused in Crime No. 921/2015 of Nedumangad Police station alleging offences punishable u/ss. 341 and 323 r/w 34 IPC seeking no objection for renewal of passport.

2. Petition averment in brief is that he is a passport holder bearing No. M 6056481 and his passport expired. He further stated that he has got job abroad and he intends to join job for the livelihood of him and his family. Hence seeks permission of the court for renewal of passport.

3. Heard both sides and perused records. Report called for from SHO, Nedumangad Police Station. SHO, Nedumangad Police Station filed report stating that if application is allowed there is every chance for accused fleeing from justice. In 2021 (2) KHC 752 Hon'ble High Court has held that "Whether the petitioner is to be exempted from the operation of S. 2(f) of Passport Act it has to be decided by court concerned dealing with the

case directly, taking in to consideration of the important factors such as present stage of investigation or trial, whether the presence of accused is required for identification purpose, the time required for culmination of the case in normal course, the purpose or necessity of visit of the applicant in the foreign country, the consequences or difficulties that may cause to applicant if refused, the delay that may necessarily happen in disposal of criminal case. In this context a duty is also cast upon the court to take into account of the fact that the pending of criminal case shall not stand on the way or cause hindrance to decide future of respondent". Petitioner is the 1st accused in this case. On going through the records it is seen that the petitioner is on bail and trial has commenced in this case. There is no chance for the trial being ended in near future. Hence I am of the view that the petition can be allowed and this court has no objection in renewing passport for a period of two years to the petitioner on following conditions.

In the result petition is allowed and the permission is granted for renewal of passport for a period of two years on following conditions.

1. The period of two years shall begin from the date of renewal of passport.
2. He shall intimate the date of leaving India and his address abroad to this court and shall take the prior permission of court before leaving the country along with application for exemption and also file affidavit stating that he shall not dispute his identity and shall not take a plea that evidence recorded in his absence.

Pronounced in open court on this the 07th day of March, 2026. .

Sd/-

Judicial Magistrate of the I Class Magistrate,
for the Trial of Forest Offences,
Nedumangad.