

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

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

Saturday 26th day of July, 2025

CRL. M.P. No. 3262/2025

CC 893/2018

(Venjaramoodu Police Station Crime No. 977/2017)

Petitioner : Deepu, Aged 40 years, S/o Madhusoodhanan, Deepu Bhavan,
Perayathummukalil, Plakkeezhu, Pirappancode, Manikkal
village, Nedumangad.
(By Adv. Sri. R. Thulasi Kumar)

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

(By APP-II, Nedumangad)

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

ORDER

This petition is filed by the petitioner / accused in Crime No. 977/2017 of Venjaramoodu Police station alleging offences punishable u/ss. 341, 354, 354 (B), 294 (b) and 427 IPC seeking no objection for renewal of passport.

2. Petition averment in brief is that he is a passport holder bearing No. N 1717057 and his passport will expire on 05-08-2025. 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, Venjaramoodu Police Station. SHO, Venjaramoodu 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 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 and case is posted for appearance of witnesses. 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 26th day of July, 2025.

Sd/-

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