

Session Case No. 33/2025
CNR No. MHRT010007142025

The State

Prosecution

Vs.

Ramij Ismail Mulla

Accused

Order below Exh. 6

(Date : 01.01.2026)

1. This is an application by applicant/accused Ramij Ismail Mulla for seeking permission to travel abroad. He is facing charges for the offence punishable under Section 376(2)(n), 417, 506 of Indian Penal Code in connection with CR No.66/2024 of Purnagad Police Station.

2. Heard Adv. S. S. Tharval for applicant and APP Shri. A. A. Fansekar.

3. Ld. Counsel for the applicant submitted that the accused is working as seaman in Gulf Energy Meritime Pvt. Ltd. Company. He wishes to travel abroad for his job. He may be permitted to travel on ship owned by his concerned employer during his job.

4. It is submitted that he has already been enlarged on bail by this court. The present applicant/accused used to be on ship for months abroad in order to earn his livelihood and to support his family. His family member are totally dependent upon him. Necessary documents in order to ascertain the genuineness of travel of accused are also produced on record. Hence, the

accused may kindly be permitted to leave India in or order to travel abroad to work as a seaman.

5. Ld. Public Prosecutor opposed the application by contending that the offence is serious. If permission is granted to the accused to go to abroad there is possibility of absconding. Hence, the application may be rejected.

6. Initially the applicant had also made prayer for permanent exemption of the applicant. However, vide pursis below Exh. 7 dated 10.12.2025 the applicant/ accused has give away to said prayer. The applicant has not mentioned period for travel to abroad in the application Exh.6. However, vide pursis below Exh. 8 dated 10.12.2025 the applicant/accused has mentioned three months period for travel to abroad. Accordingly, now the prayer for permission of travel abroad for period of three months is required to be considered.

7. The applicant/accused has submitted that he is working in Gulf Energy Meritime Pvt, Ltd. Company as a seaman. Accordingly, he has produced appointment letter and Seaman's employment contract indicating that his contractual services would commenced from 06.01.2026 for the period of nine months. In order to ensure that he would return to India he has produced a verified copy of 7X12 extract of his land at Kadwai, Tal. Sangmeshwar, Dist. Ratnagiri. He has also produced verified copy of Index No. II of his residential flat situated at Nerul, Navi Mumbai. This indicates that he owns property in India and that there is strong likelihood of returning back to India.

8. It is settled position of law that a liberty of a person can not be curtailed by rejecting such application. Moreover, the offence alleged against him is not falling in the category of much serious offences like NDPS, MCOCA, UAPA etc. In such circumstances, he can be permitted to go abroad on appropriate conditions.

9. The accused is released on bail. If permission to travel abroad can be granted on condition that applicant shall deposit an amount of Rs. 1,00,000/- towards security of his returning and also furnish additional one or two sureties aggregating of Rs.1,00,000/- there is no injustice would be caused to the prosecution or the informant. Hence, I pass following order.

ORDER

1] The applicant is hereby granted permission to travel at abroad on ship owned by his concerned employer subject to following conditions.

A) He shall furnish one or two sureties aggregating an amount of Rs.1,00,000/- and he shall deposit an amount of Rs.1,00,000/- in this court before 05.01.2026.

B) He shall also furnish an undertaking that he would return to India on or before 06.04.2026. There shall be an undertaking in writing before the officer in-charge of concerned police station about the schedule of his travel and his address and place of residence while traveling abroad and his other contacts and telephone numbers.

C) It is made clear that the applicant to submit the undertaking before starting his travel and that even a delay of single days in returning India, his surety and the amount of Rs.1,00,000/- would be forfeited.

D) It is made clear that if due to order of any other court, before whom any other case against applicant would be pending and there is any restraint order against the applicant, the applicant has to obtain necessary permission from concerned court before leaving India.

2] The application stands disposed off in above terms.

Date- 01.01.2026.

(V. Y. Jadhav)
Sessions Judge, Ratnagiri.