



2025:KER:16681

CRL.MC NO. 1772 OF 2025

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 27TH DAY OF FEBRUARY 2025 / 8TH PHALGUNA, 1946

CRL.MC NO. 1772 OF 2025

CRIME NO.504/2024 OF CHAVAKKAD POLICE STATION, THRISSUR

AGAINST THE ORDER/JUDGMENT IN CP NO.90 OF 2024 OF
JUDICIAL MAGISTRATE OF FIRST CLASS ,CHAVAKKAD

PETITIONER:

MOHAMMED ANWAR
AGED 45 YEARS
S/O. BAPPU HAJI, MALIKULANGARA HOUSE,
EDAKKARA DESOM, PUNNAYUR,
THRISSUR, PIN - 679561

BY ADVS.
GEO PAUL
C.R.PRAMOD
JACOB GEORGE PALLATH
HARIKRISHNAN A.S.
AKSHAI.K.R.
C.B.GAUTHAM
MARIYAM MATHEWS

RESPONDENT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031

BY SRI. RENJITH GEORGE, SR.PP.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 27.02.2025, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

**ORDER**

Petitioner is the 5th accused in Crime No.504 of 2024 registered at the Chavakkad Police Station for offences punishable under Sections 143, 147, 148, 341, 323, 324, 308, 506, 201 and 149 of IPC, now pending as C.P.No.90 of 2024 on the files of the Judicial Magistrate of First Class, Chavakkad. Petitioner was granted bail as per Annexure A1 order, subject to certain conditions. Condition No.(iv) required the petitioner to surrender his passport before the court below. Accordingly, petitioner surrendered his passport and later moved an application seeking release of the passport as he had secured employment as a personal trainer at 'Al-Raisi' Gym, Karama, Dubai. The court below rejected the application as per Annexure A2 order. Hence, this Crl.M.C. is filed.

2. Learned counsel for the petitioner submits that the reasons stated in Annexure A2 order are without basis and the case has reached only the committal stage. As such, it will take at least three years for the trial to commence and appropriate conditions can be imposed for ensuring petitioner's



presence.

3. Learned Public Prosecutor submitted that, if at all direction is to be issued for releasing petitioner's passport, he should be called upon to provide his travel plans, e-mail ID, foreign address, etc.

4. Upon consideration of the nature of offences alleged as also the present stage of the case, I am of the opinion that denial of opportunity for the petitioner to travel abroad for securing employment will be too harsh a measure. As submitted by the learned counsel, petitioner's passport can be released by imposing conditions for ensuring his presence, whenever required.

Accordingly, the Crl.M.C is allowed. Annexure A2 order is quashed and the court below is directed to release the petitioner's passport by imposing appropriate conditions including furnishing of travel plans, foreign address, mobile number, e-mail ID, etc.

Sd/-
V.G.ARUN, JUDGE

SPV



2025:KER:16681

CRL.MC NO. 1772 OF 2025

4

APPENDIX OF CRL.MC 1772/2025

PETITIONER'S ANNEXURES

ANNEXURE A1	TRUE COPY OF THE ORDER DATED 05-08-2024 IN B.A.NO. 6177 OF 2024 BY HON'BLE HIGH COURT OF KERALA
ANNEXURE A2	TRUE COPY OF THE ORDER DATED 08-01-2025 IN CRL.M.P.NO.7985/2024 IN C.P.NO.90/2024 BY JUDICIAL FIRST CLASS MAGISTRATE, CHAVAKKAD

RESPONDENT'S ANNEXURES: NIL

//TRUE COPY//

PA TO JUDGE