

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Crl.MC.No. 5797 of 2015 ()

**(CMP.NO.4627/2015 IN CP.NO.34/2015 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, MANJERI)**

PETITIONER/ACCUSED:

**MUHAMMED SHARAFUDHEEN, AGED 33 YEARS,
S/O.ABDURAHIMAN, MOOCHITHODAN HOUSE,
PULPETTA P.O, THOTTAKKAD, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.ABDUL JAWAD
SRI.ABDUL MAJEED.N
SMT.V.K.ANJU**

RESPONDENT(S)/COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
MALAPPURAM-676 505.**

BY PUBLIC PROSECUTOR SMT. P.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 5797 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A : TRUE COPY OF THE RE-ENTRY VISA ISSUED TO THE PETITIONER.

**ANNEX B : TRUE COPY OF THE APPLICATION DT 2-7-15 BEFORE THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-I, MANJERI, SUBMITTED BY THE
PETITIONER**

**ANNEX C : CERTIFIED COPY OF THE ORDER DT 28-7-15 IN CMP.NO.4627/2015 IN
CP 34/15 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, MANJERI.**

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
Crl.M.C. No.5797 of 2015
.....

Dated this the 4th day of September, 2015

ORDER

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Heard learned counsel for the petitioner and learned Public Prosecutor.

2. It seems that at the time when the petitioner was enlarged on bail, the learned Magistrate had imposed a condition that he should deposit his passport before the court below. According to the petitioner, he was working abroad. On coming to know about the proceedings against him, he returned to station and sought for bail. When bail was granted, as per the condition, he had to deposit his passport also. At present, he has to return to his place of work, otherwise his Visa will become cancelled.

3. On hearing either side, this Court is of the view that presently, the passport of the petitioner has to be released to the petitioner on condition of his filing an

affidavit before the court below that he will appear as and when required in the case without fail. The court below is directed to release the passport of the petitioner forthwith on getting such an affidavit filed.

CrI.M.C. is disposed of as above.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/04/09

*// True Copy //*

*PA to Judge*