2025:KER:28019

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

CRL.MC NO. 1418 OF 2025

AGAINST THE ORDER DATED 18.01.2025 IN CRL.M.P.NO.15/2025 IN SC NO.482 OF 2014 OF FAST TRACK SPECIAL COURT, THALASSERY

PETITIONER/ACCUSED NO.5:

T.P. VASUDEVAN,
AGED 53 YEARS
S/O NARAYANAN, RESIDING AT THAZHE PADICKAL HOUSE, KALARIVATHUKAL HOUSE,
P.O. VALAPATTANAM,
KANNUR, PIN - 670010

BY ADV M.SASINDRAN .

RESPONDENTS/STATE:

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

2 **STATION HOUSE OFFICER,**
VALAPATTANAM POLICE STATION,P.O. VALAPATTANAM, KANNUR, PIN - 670010

OTHER PRESENT:

SRI. RENJITH GEORGE (SR.PP)

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27.03.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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C.JAYACHANDRAN, J.

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Crl.M.C.No.1418 of 2025

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Dated this the 27th day of March, 2025

ORDER

The petitioner is aggrieved by Annexure A1 order, which refused an application under Section 6 (2)(f) of the Passports Act to renew petitioner's passport for a period not less than two years. The reason stated is that, there was a direction by this Court vide Annexure A-III order to dispose of S.C.No.482/2014 within a period of three months. The said order was challenged by the petitioner before the Hon'ble Supreme Court; and by virtue of Annexure A-IV, an interim order, which stayed further proceedings in the said S.C, was directed to continue. Thus, the learned Sessions Judge found that the matter will have to be completed within three months, after framing the modified charges, for which reason, the petitioner's application for renewal of passport was dismissed.

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2. Having heard the learned counsel for the petitioner and the learned Public Prosecutor, this Court finds that Annexure A1 order cannot be sustained. It is true that, by virtue of Annexure A-III order, this Court directed to dispose of the Sessions case afore referred within a period of three months, after framing modified charge within two weeks. However, the said order is under stay, as could be seen from Annexure A-IV by the Hon'ble Supreme Court. If that be so, the direction by this Court for disposal of the matter within a period of three months cannot be acted upon.

3. This Court is also of the opinion that, renewal of the passport for a period not less than two years will not cause any prejudice, especially, when this Court makes a pre-condition that the petitioner shall travel abroad only with the permission of the trial court.

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4. In such circumstances, the passport of the petitioner can be renewed in accordance with law, for which, there will not be any objection from the part of the court owing to the pendency of S.C.No.482/2014. Needless, to say that such a renewal should be for a period not less that two years. However, there will be a direction to the petitioner that, the petitioner shall not leave the country on the strength of the renewed passport, except with the express permission of the trial court to do so, for which purpose petitioner will file necessary application and obtain orders from the trial court.

With the above directions, this Criminal Miscellaneous Case stands disposed of.

Sd/-

C.JAYACHANDRAN,JUDGE

MSA

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APPENDIX OF CRL.MC 1418/2025

PETITIONER ANNEXURES

Annexure A 1	**THE CERTIFIED COPY OF THE ORDER DATED 18.01.2025 IN CRL.M.P 15/2025 IN SC 482/2014 ON THE FILE OF THE FAST TRACK SPECIAL COURT, THALASERRY.**
Annexure A 2	**THE TRUE COPY OF THE ORDER DATED 30.12.2022 IN CRLMC 9639/2022 ON THE FILE OF THE HONBLE HIGH COURT OF KERALA.**
Annexure A-III	**A TRUE COPY OF THE JUDGMENT DATED 17.07.2024 IN CRL.M.C.NO.3719 OF 2023 OF THIS HON'BLE COURT**
Annexure A-IV	**A TRUE COPY OF THE ORDER DATED 19.03.2025 IN SLP.NO.17850 OF 2024 OF THE SUPREME COURT.**
Annexure A-V	**A TRUE COPY OF THE MODIFIED CHARGE DATED 10.10.2024 PREPARED BY COURT OF FAST TRACK SPECIAL JUDGE, KANNUR IN S.C.NO.482 OF 2014.**
Annexure A-VI	**A TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE DEPONENT BEARING NO.Y7075745 ISSUED BY THE REGIONAL PASSPORT OFFICER, KASARAGOD.**