

Jerin D, vs State of Kerala

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Court : Kerala Orders

Decided On : Apr-03-2023

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : Crl.MC/2414/2023

Appellant : Jerin D,

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS MONDAY, THE 3RD DAY OF APRIL 2023 / 13TH CHAITHRA, 1945 PETITIONER/4th ACCUCSED: JERIN D, AGED 26 YEARS AGED 26 YEARS, S/O DENSON, JAIN VILLA, KOTTAPURAM P.O, VIZHINJAM, THIRUVANANTHAPURAM DISTRICT: 695521, PIN - BY ADVS. K.R.ARUN KRISHNAN DEEPA K.RADHAKRISHNAN JISSMON A KURIAKOSE SANAL C.S RESPONDENTS/STATE/COMPLAINANT & PASSPORT OFFICER: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031 2 THE STATION HOUSE OFFICER VIZHINJAM POLICE STATION, THIRUVANANTHAPURAM DISTRICT, PIN-695521, PIN - 695521 3

THE PASSPORT OFFICER REGIONAL PASSPORT OFFICE, P.O.,
THIRUVANANTHAPURAM DISTRICT, PIN-673 006., PIN - 673006
OTHER PRESENT: PP SMT.SREEJA V, THIS CRIMINAL MISC. CASE
HAVING COME UP FOR ADMISSION ON 03.04.2023, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

----- Crl.M.C. No.2414 of 2023
----- Dated this the 3rd day of April, 2023

ORDER

The learned counsel for the petitioner seeks for a direction to the Passport Issuing Authority to renew his passport.

2. Petitioner is the accused in Crime No.2047/2018 of Vizhinjam

Police Station. Petitioner submits that he has filed Crl.M.C.No.7434/2022 and Crl.M.C.No.8429/2022 to quash the criminal proceedings pending against him. However, no stay has been granted by the court. It is also submitted by the learned for the petitioner that presently he is residing outside India and he needs to urgently renew his passport.

3. The learned Public Prosecutor submitted that in the meantime

final report in respect of Crime No.2047/2018 of Vizhinjam Police Station has already been submitted and therefore the remedy of the petitioner is to approach the jurisdictional Magistrate.

4. Since the final report has already been submitted a criminal

case can be said to be pending against the petitioner. Therefore, the remedy for the petitioner is to approach the jurisdictional Magistrate seeking permission to renew the passport. If the learned Magistrate grants such permission, he can thereafter apply to the Passport Issuing Authority.

5. Therefore, reserving the liberty of the petitioner to approach the

jurisdictional Magistrate for permission to renew his passport, this Crl.M.C is closed. Sd/- BECHU KURIAN THOMAS JUDGE AJM/4/4/23 APPENDIX OF CRL.MC 2414/2023 PETITIONER ANNEXURES AnnexureA COPY OF ORDER DATED 13/01/2022 OF THE HIGH COURT OF KERALA AT ERNAKULAM, IN B.A NO. 9736/2021 IN CRIME NO 2047/2018 OF VIZHINJAM POLICE STATION Annexure B COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE PETITIONER Annexure C COPY OF THE VISA OF THE PETITIONER Annexure D COPY OF THE RECEIPT ISSUED BY THE AUTHORITY TO WHICH THE APPLICATION TO RENEW THE PASSPORT SUBMITTED DATED //TRUE COPY//

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