



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

MONDAY, THE 13TH DAY OF JANUARY 2025/23RD POUSHA, 1946

CRL.MC NO. 8982 OF 2024

CRIME NO.658/2019 OF NEDUPUZHA POLICE STATION, THRISSUR

AGAINST THE ORDER/JUDGMENT IN SC NO.121 OF 2019 OF ADDITIONAL SESSIONS

COURT (ADHOC) III, THRISSUR

PETITIONER/ACCUSED NO.4:

SOORYANARAYANAN,
AGED 24 YEARS, S/O KADALASSERY VEETIL SUNILKUMAR, ANUGRAHA
NAGAR, KOORKKANCHERY VILLAGE,
KOORKKANCHERY PO, THRISSUR TALUK,
PIN - 680024

BY ADVS.
MANUMON A.
REBIN VINCENT GRALAN
SURESH C.
SANTHOSH.T.P
RIA VARGHESE
ROSNA M. JOY
ANGEL MARY K.P.

RESPONDENTS/STATE:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031
 - 2 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031
- SMT. PUSHPALATHA. M.K, SR.PP.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
13.01.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**ORDER****Dated this the 13th day of January, 2025**

Petitioner is the 4th accused in Crime No.658 of 2018 of Nedupuzha Police Station, registered for offences punishable under Sections 22(b) and 20(b)(ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985, now pending as S.C No.121 of 2019 on the files of the Additional Sessions Court- III, Thrissur.

2. The petitioner was granted bail as per Annexure A5 order dated 06.03.2019. Much later, a petition seeking permission to leave the country and appear through counsel, was submitted. The petition stands rejected by Annexure A4 order. Hence, this Crl.MC.

3. Learned Counsel for the petitioner submits that his client had just crossed 18 years as on the date of commission of the alleged offence and he having attained 24 years, refusal to permit the petitioner



to take up employment abroad is unjustified. It is pointed out that the learned Sessions Judge rejected the petition by drawing a parallel to the cases of *Vijay Mallya and Nirav Modi*, which is totally unwarranted under the facts and circumstances of the case.

4. The Sessions Case being of the year 2019, a report was called from the learned Additional Sessions Judge regarding the present status of the case and the time required for disposing the same. In the report it is submitted that altogether more than one thousand 5+ year old cases are pending and the total pendency of the court is more than 4000. It is also stated that, as per the direction of the High Court, disposal of old cases are given priority and hence, charge has not been framed in the petitioner's case. According to the Sessions Judge, atleast two years will be required to dispose of the case.

5. Learned Public Prosecutor submitted that the offence is serious in nature and permission to go



abroad may result in the petitioner's abscondence.

6. Having heard the learned Counsel and having gone through the report, this Court is of the opinion that, if two years are required to dispose the case, it will be unjust to deny the petitioner an opportunity to eke his living by working abroad. Citing the examples of individuals like *Vijay Mallya and Nirav Modi*, in order to deny opportunity for the petitioner to go abroad for employment, was unwarranted.

The Crl.MC is hence disposed of by directing the Additional Sessions Judge- III, Thrissur, to grant permission to the petitioner to go abroad, subject to petitioner being represented by a Counsel during his absence and such other conditions which the learned Additional Sessions Judge deems appropriate.

Sd/-

**V.G.ARUN
JUDGE**



APPENDIX OF CRL.MC 8982/2024

PETITIONER ANNEXURES

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| ANNEXURE 1 | A TRUE COPY OF THE FIR AND FIS DATED
07/12/2018 IN CRIME 658/2018 OF NEDUPUZHA
POLICE STATION |
| ANNEXURE 2 | TRUE COPY OF CRL.M.P 5275/2024 DATED
14/08/2024 |
| ANNEXURE 3 | TRUE COPY OF CRL.M.P 5276/2024 DATED
14/08/2024 |
| ANNEXURE 4 | TRUE COPY OF THE ORDER OF IIIRD ADDITIONAL
SESSIONS COURT, THRISSUR DATED 17.08.2024 |
| ANNEXURE A5 | TRUE COPY OF BAIL ORDER OF DISTRICT SESSIONS
COURT THRISSUR IN CRL.M.C 344/2019 DATED
06.03.2019 |