



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

TUESDAY, THE 12TH DAY OF SEPTEMBER 2023 / 21ST BHADRA, 1945

WP(C) NO. 18869 OF 2023

PETITIONER/S:

IRSHAD MANCHERI, AGED 27 YEARS, S/O MOIDU KURIKKAL,
R/O MANCHERI KURIKKAL HOUSE, VALLUVANGAD P.O,
ATHANIPPADI, MALAPPURAM., PIN - 676521.

BY ADVS.
M.A.BABY
MEENAKSHY PARVATHY

RESPONDENT/S:

COMMISSIONER OF CUSTOMS (PREVENTIVE), 5TH FLOOR,
CATHOLIC CENTRE, BROADWAY, COCHIN, PIN - 682031

SRI.SREELAL N WARRIER, SC FOR CUSTOMS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12.09.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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J U D G M E N T

The present writ petition has been filed seeking a writ of mandamus commanding the respondent to release passport No.P 6120348 of the petitioner, which was detained on 7.8.2022 as the petitioner was found in possession of smuggled gold weighing 1331.95 grams and gold bars weighing 233.84 grams through Cochin International Airport on 7.8.2022.

2. Learned counsel for the respondent fairly submits that the investigation is over and petitioner's passport can be released subject to the petitioner undertaking that the petitioner would provide details of future travels as desired by the Customs Authorities, as and when he undertakes such travels.

3. The learned counsel for the petitioner submits that the petitioner would submit such undertaking to the Customs authorities within a



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period of two weeks from today. If the petitioner submits such an undertaking that he would provide details of future travels as desired by the Authorities, before the Customs authorities, the petitioner's passport will be released, subject to the conditions to be imposed by the Customs authorities.

Subject to the aforementioned direction, the writ petition would stand finally disposed of. Pending interlocutory applications, if any, in the writ petition would stand dismissed.

sd/-
DINESH KUMAR SINGH
JUDGE

jg



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APPENDIX OF WP(C) 18869/2023

PETITIONER EXHIBITS

- | | |
|-------------|---|
| Exhibit P-1 | TRUE COPY OF THE RELEVANT PAGES OF PASSPORT
OF THE PETITIONER |
| Exhibit P-2 | TRUE COPY OF THE SUMMONS OR NO. 74/2022 DATED
03.11.2022 |
| Exhibit P-3 | TRUE COPY OF THE LETTER DATED 03.03.2023
SUBMITTED BY COUNSEL FOR THE PETITIONER |
| Exhibit P-4 | TRUE COPY OF THE JOB OFFER LETTER DATED
24.05.2023 RECEIVED BY PETITIONER FROM M/S
IMKANAT STONE, UAE |