

IN THE COURT OF THE ADDL.SESIONS JUDGE II, ALAPPUZHA

Present: Smt. Bharathi.S., Addl. Sessions Judge II

Thursday the 12th day of February, 2026

CrI.M.P.No. 02/2026 in SC.No.1022/2023 (Filed on.22.01.2026)

(Crime No.1090/2023 of Alappuzha North Police Station)

Petitioner :- Kiran D Cruz, aged 34 years,
S/o. Jolly D Cruze
Shiny Nivas, Arattuvazhy Ward,
Alappuzha North P.O., Alappuzha,
Pin- 688007, Now residing at
Thaikattuchira Veedu, Poonthoppu
Ward, Avalookkunnu P.O., Alappuzha,
Pin-688006.

(By Adv.Sri.Nissam Nazzar)

Respondent :- The State of Kerala,
Represented by Sub Inspector of Police,
Alappuzha North Police Station through
the Public Prosecutor, Alappuzha.

This petition having been finally heard on 07.02.2026 and the court
12.02.2026 passed the following:-

ORDER

1. This is a petition filed by the accused seeking exemption from the personal appearance.
2. Submissions of the petitioner/accused, in brief, is the following:
Petitioner/accused has got an employment abroad, which is necessary for his livelihood. He has to join duty in UAE at the earliest. The

family of the petitioner depends upon his income and he is the sole bread winner in his family. Petitioner would not dispute his identity during trial. He has no objection in framing charge and recording evidence through his counsel. He is also ready to appear before the court as and when directed. He therefore requested to dispense with his personal attendance in the trial proceedings.

3. Prosecution filed a report opposing the petition contending that trial in the case would be obstructed in case of permitting the petitioner to go abroad.
4. Heard both sides and perused records.
5. Offence alleged against the petitioner is punishable u/Ss.22(b) and 20(b)(ii)A of the Narcotic Drugs and Psychotropic Substances Act. The case is of the year 2023. Considering the pendency of old cases, there is no likelihood of conducting a trial in this case in a short future period. Therefore, considering the submissions of the petitioner, petitioner can be exempted from personal appearance for a period of one year in this case.
6. In the result, petition allowed by exempting the personal appearance of the petitioner for a period of one year and on conditions that

petitioner shall be represented through his counsel and he shall appear before the court as and when directed.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open court on this the 12th day of February, 2026.

Sd/-

BHARATHI S.

ADDL. SESSIONS JUDGE-II

APPENDIX:- NIL

Id/-

ADDL. SESSIONS JUDGE-II