

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-1, ALAPPUZHA.

Present:-**Smt. Shana Beegam, Judicial First Class Magistrate.**

Dated this, the 23rd day of March, 2026

C.M.P No.04/2026 in CC 2984/2021

Petitioner/Accused : Shafeek, S/o Hussain Baker Muhammad,
Naheeda Nivas, Patteriparambu,
Stadium Ward, Head Post Office PO,
Alappuzha
(By Adv. Kishor Kumar)

Respondent/Complainant : State represented by the Sub
Inspector of Police, Alappuzha
North PS in Crime No.721/2021.
(By Asst. Public Prosecutor)

This case coming on this day for hearing, the court passed the following:-

ORDER

This petition is filed by the petitioner/accused in the above case u/s.228 of BNSS.

2. Brief facts of the petition is as follows:-The petitioner is the accused in this case alleging commission of offences punishable u/s.279, 337, 338 IPC and Section 134(A), 134(B) of M.V. Act. He is innocent of the charges levelled against him and so far he has not been implicated in any other criminal case. He appeared before the court and released on bail. He is working at Oman. Hence, he prayed for the mercy of this court to dispense him from his personal appearance before this court. He undertake that he will not raise any dispute in future with regard to the evidence taken in the above case in his absence. He also undertake that on his behalf his counsel will appear and evidence could be recorded in his absence in the presence of his counsel and he will appear as and when required by the court. Hence, he prayed for exempting him from personal appearance. Otherwise he will put to irreparable

injury and hardships.

3. Copy of the petition was served to the learned A.P.P. and she has no objection to this petition.

4. Heard both sides and perused the case records.

5. On going through the petition, it is seen that the petitioner who is the accused is working at Dubai and he wants to go to his working place. Considering this, the petition allowed and the petitioner/ accused is exempted from his personal appearance for a period of one year subject to the following conditions:-

- i. Petitioner shall execute bond for Rs.50,000/- with two solvent sureties each for the like sum.
- ii. The petitioner shall file an affidavit stating that he will return within the stipulated period allowed by this court.
- iii. The petitioner shall make an undertaking to the effect that,
 - a. His absence will not create any hindrance to the trial.
 - b. He shall not dispute his identity during evidence.
 - c. He will not challenge the evidence recorded in his absence.
 - d. He will appear before the court as and when required.

Pronounced in the open court on this the 23rd day of March, 2026.

Sd/-
Judicial First Class Magistrate-I,
Alappuzha.

//True copy//

Judicial First Class Magistrate-I,
Alappuzha.