

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE- II,
MAVELIKARA**

Present: Sri. Anandhu.J.B, Judicial First Class Magistrate-II.

Dated this the 15th day of April, 2025

CMP No. 1488/2023 in CC.99/2022

Petitioner/ accused : A2. Aananthu, Kannankara veedu,
Ulavukkad muri, Palamel village,
MavelikaraTaluk.

(By Adv.B.Pradeep)

Counter Petitioner : State represented by the S.I of Police,
Nooranad in Cr.81/22
(By A.P.P., JFCM Court-II, Mavelikara)

Section of law : U/s. 205 of Cr.PC.

This petition coming on this day for consideration, the court passed the following:-

ORDER

1. Petition filed by the 2nd accused in the above case u/s.205 of Cr.PC. Accused is charged with offences punishable u/ss.143, 147, 148, 149, 451, 323 and 324 r/w 427 of the IPC.

2. The petitioner submits that he wants to go abroad for a job and he could not attend the court on the posting days of this case. He further states that he will not dispute his identity before the Court and he is ready to appear before the court as and when called for and he is to be permitted to be represented by his counsel in his examination u/s 313 Cr.PC also. Therefore, he seeks exemption from personal appearance before the court.

3. Copy Served to the APP. No objection seen filed.

4. Heard the counsel for the petitioner and perused the records.

5. The allegations levelled against the petitioner are u/ss. 143, 147, 148, 149, 451, 323 and 324 r/w 427 of the IPC. This

case is of the year 2022. The prosecution evidence not commenced. From the affidavit, it is satisfied that if the petitioner is not exempted, it will cause great prejudice to him. The petitioner also undertakes that he will not dispute his identity in trial. Hence, I am of the view that this petition can be allowed.

In the result, petition is allowed as follows:-

1. The petitioner is exempted from personal appearance for a period of one year.
2. The petitioner shall file an affidavit stating that he will not take a plea that the evidence is recorded in his absence.
3. The petitioner shall file an affidavit stating that he will not dispute his identity even when the evidence is recorded in his absence.
4. He shall furnish his address in which he working abroad.
5. The petitioner shall be represented by his counsel during the trial in his absence.
6. The petitioner shall appear before the court as and when directed.

(Dictated to the Confidential Assistant, data entered by her, corrected and pronounced by me in open court on this the 15th day of April, 2025)

sd/-

Judicial First Class Magistrate-II,
Mavelikara.