

**IN THE COURT OF THE SPECIAL JUDGE (SPE/CBI) - II, ERNAKULAM**

**Present:-**

**Shri. Kamanees K, Special Judge (SPE/CBI)-II**

Friday, the 12<sup>th</sup> day of January, 2024 / 22<sup>nd</sup> Pousha, 1945

**Crl.MP Nos. 08/2024 & 04/2024**

**in**

**C.C.No. 01/2019**

**Crl.MP No. 08/2024**

**Petitioner / Accused No.4:-**

Moosakutty, 40 years, S/o. Moideen,  
Thachinadath House, Muttancherry,  
Kozhikode Taluk, Kozhikode.

By Adv. Sri.Akheel Ahammed.P

**Respondent / Complainant:-**

Central Bureau of Investigation, ACB, Cochin

By Sri. Bobby Joseph.Y, Public Prosecutor, Ernakulam.

**Crl.MP No. 04/2024**

**Petitioner / Accused No.2:-**

Sameer K, aged 37 years,  
S/o. Moideenkutty, Kothoor House,  
Koduvally, Thamarassery Taluk, Kozhikode

By Adv. Sri.Akheel Ahammed.P

**Respondent / Complainant:-**

Central Bureau of Investigation, ACB, Cochin

By Sri. Bobby Joseph.Y, Public Prosecutor, Ernakulam.

These petitions having been heard on 12/01/2024 and the Court on the same day passed the following:-

**COMMON ORDER**

Accused Nos.4 and 2 (Moosakutty and Sameer) respectively have filed these petitions u/s.205 Cr.P.C. for granting permanent exemption - detailing the purposes.

2) Both the petitions contain almost the same averments that the accused persons who reside in middle east countries in order eke their livelihood. If they are insisted on to continue in India, they may lose their employment. Petitioners have filed affidavits to the extent that they do not intend to challenge their identity while on trial and they have entrusted their lawyer Sri. Akheel Ahammed to answer the charges, conduct examination of witnesses, answer the examination u/s.313 Cr.P.C. and for all collateral purposes.

3) The learned Prosecutor, CBI did not opt to file any objection. However, he submitted that exemption be conditional on their appearance as and when required.

4) For the reasons stated above, the petitions are allowed. Accused are exempted from personal appearance on points of framing of charge, examination of the witnesses as well as answering the examination u/s.313 Cr.P.C. However, it shall be specified that these accused persons shall be present before the court as and when they are specifically called for. It is also specified that the lawyer shall be present throughout the case in the place of the accused.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 12<sup>th</sup> day of January, 2024.

Sd/-  
Kamanees.K  
Special Judge (SPE/CBI)-II

APPENDIX:-NIL

Id/-  
Special Judge(SPE/CBI)-II

// True Copy //

(By Order)

Sheristadar

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**Common Order in  
Crl.MP Nos. 08/2024 &  
04/2024 in  
C.C No. 01 / 2019  
Dated 12/01/2024**