

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
TRIPUNITHURA**

Present: Miss. Athira R S Panicker, Judicial First Class Magistrate

Dated this the 26th day of November, 2025

CMP No.2133/2025 in CC No.721/2022

Petitioner/Accused No.2 : Leela, Aged:75/22, W/o.Balakrishnan, Kuruvathuruthil House, Puthukulangara Colony Road, Nadakkavu P.O., Udayamperoor, Manakunnam Village. (A2)
(By Adv.Prasad P.George.)

Respondent/Complainant : State of Kerala represented by the Sub Inspector of Police, Udayamperoor Police Station in Crime No.879/2021.
(By Assistant Public Prosecutor)

Offences : u/ss. 498(A) & 323 of the IPC.

Order : Allowed

O R D E R

This is an application filed by the petitioner seeking permission to exempt her from personal attendance before the court u/s. 205 of the Code of Criminal Procedure.

2. Petitioner is the accused No.2 in Cr. No.879/21 (CC.721/2022) registered by Sub Inspector of Police, Udayamperoor Police Station alleging offences punishable u/Ss. 498(A) & 323 of the IPC.

3. **The petition averments are as follows:-** The petitioner is the accused No.2 in the above case, alleging offences punishable u/Ss. 498(A) & 323 of the IPC. The accused No.2 is the mother of the 1st accused and is aged about 80 years. She is a senior citizen suffering from various age related health problems including severe weakness and difficulty in mobility. Due to her advanced aged and frail health condition, it is extremely difficult for the petitioner to travel and appear personally before this court for each and every posting of the case. The petitioner undertakes that she will be

properly represented by her counsel on all hearing dates and will appear before this court as and when specifically directed by the court. Hence the petition.

4. Heard the learned counsel for the petitioner and Assistant Public Prosecutor.
Perused the records.

5. No objection submitted by the learned Assistant Public Prosecutor.

6. The counsel for petitioner had stated that there is no identity dispute at all and the petitioner will ratify all the acts done by her counsel in her absence. I have noticed that the petitioner/accused is on bail. This court is satisfied about the reasons stated by the petitioner in her petition. Undoubtedly, the petitioner has got a valid reason to move this petition. Hence this court is of the opinion that the petition is only to be allowed in the interest of justice.

7. In the result, the petition is allowed and ordered as follows:-

1. The petitioner/accused is exempted from appearing before the court for a period of two years from the date of order.
2. She shall appear before the court as and when directed.
3. She shall not dispute the identity of herself or the counsel and proceedings of the court in her absence, in a later stage and shall file an affidavit as to the same.
4. There must be proper representation for the petitioner/accused in all posting dates.

(Pronounced by me in open Court on this the 26th day of November, 2025.)

Sd/-
Judicial First Class Magistrate
Tripunithura

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