

**IN THE COURT OF JUDICIAL MAGISTRATE OF THE FIRST CLASS -II,
SOUTH PARAVUR, KOLLAM**

**Present:- Smt. Chithralekha N. S.
Judicial Magistrate of the First Class**

Dated this the Thursday, 12th day of March, 2026

CMP No. 1/2026 IN CC 291/2025

Petitioner/ Accused : Sanujith, Aged 38, S/o. Sudarsanan,
Saritha Mandiram, Parayil, Idava Village,
Varkala Taluk, Thiruvananthapuram.
(By Adv. S Sunil)

Respondent : State represented by the Sub Inspector of
Police, Paravur Police Station in
Cr.No. 216/2025.
(By Assistant Public Prosecutor, Paravur)

Order : Petition Allowed.

ORDER

1. This is a petition filed by the petitioner for dispensing his personal attendance before court. The petitioner is the sole accused in CC 291/2025 (Crime No. 216/2025 of Paravur Police Station), who allegedly committed offences punishable u/ss. 296(b) and 351(2) BNS.

2. The petitioner filed this petition submitting that he is working in abroad. He further submitted that he will not dispute his identity during trial. Hence this petition.

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

4. Perused the report of objection filed by the prosecution. On perusal of the case records, it is seen that the case is at initial stage, trial has not commenced and eight witnesses are yet to be examined which will take time for the trial and disposal of this case. Therefore, I am of the view that the life and career of the petitioner shall not be deprived for the reason of the pendency of this case. For the aforesaid reason, permission is granted and the petitioner is permitted to go abroad for a period of three years from the date of this order and dispense with the personal appearance of the petitioner before this court subject to the following conditions:-

- (1) The petitioner shall produce a photocopy of the passport duly attested by petitioner and his counsel upon receipt of the same.
- (2) In case a visa is issued to the petitioner, the petitioner shall produce a photocopy of the said visa, attested as above, prior to his actual travel abroad.
- (3) The petitioner shall file an affidavit to the effect that he shall not dispute his identity when trial goes in his absence and shall always be represented by his Lawyer and that evidence could be recorded in his absence.
- (4) The petitioner shall intimate the proposed date of his leaving India and his address abroad and he shall appear before this court as and when required by this court.
- (5) The petitioner shall not take up permanent residence in any foreign country without permission of the court.

Needless to state that, if the counsel failed to represent or appear on behalf of the petitioner, the Court will invoke Sec 228(2) of the Bharatiya Nagarik

Suraksha Sanhita without further notice.

In the result, the petition stands allowed.

(Dictated to the Confidential Assistant transcribed and typed by her corrected by me and pronounced in Open Court on this the Thursday, the 12th day of March, 2026).

Sd/-
Judicial Magistrate of the First Class-II,
Paravur