

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
KADAKKAL.**

Present:- Sri.Amal.S.R, Judicial First Class Magistrate

Dated, this the 06th day of March, 2026

C. M. P. No. 05/2026 in CC. No.116/2020

Petitioner/ Accused : Santhusht, aged 47/2026, S/o.Sasidharan, Sandhya Bhavan, Nedumanpuram, Elambazhannoor P.O, Kadakkal Village, Kottarakkara Taluk.

(By Adv. Sri.S.Rajadas)

Heard, perused the records and passed the following :

ORDER

This petition is filed under section 228 of BNSS by the counsel for the accused seeking permanent exemption from personal appearance of the accused in CC. No.116/2020.

2. Copy of the application is served to the Learned Assistant Public Prosecutor. She submits objection to this application.

3. Heard the learned Assistant Public Prosecutor and the learned counsel for the petitioner. According to the learned APP, she has no objection in allowing this application if the petitioner filed an undertaking stating that he would not dispute his identity during trail.

4. The affidavit would also show that the accused is in abroad for his avocation. Having satisfied with the reason stated that the accused is in abroad for his avocation to meet his livelihood and to meet the ends of justice, I am of the view that the personal appearance of the accused could be

dispensed with on certain conditions.

5. Petition is allowed on conditions which are as follows:-

- a) Petitioner shall be duly represented by a lawyer of his own choice on all posting dates without fail.
- b) Petitioner shall not dispute his identity during the trial stage.

Petitioner shall appear before this court as and when so required by this court.

Pronounced in open court on this the 06th day of March, 2026.

Sd/-

Judicial 1st Class Magistrate, Kadakkal

//True Copy//

Judicial 1st Class Magistrate, Kadakkal