

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
CHANGANACHERRY**

Present: Sri. Anil Kumar. T.S, Judicial I Class Magistrate

Dated this the, 24th day of February 2026

CMP No.02/2026 in CC 4087/2019

Petitioner/A2 : Sherin Shaji, Aged 33, S/o late. Mr.Shaji,
Puthuparambil (H),
Thrikkodithanam P.O, Thrikkodithanam Village,
Changanacherry Taluk, Kottayam.

(By Adv.M S Pradeep)

Counter petitioner : State - represented by the
SHO, Thrikkodithanam Police Station in Crime
No.648/2018.

(By APP, Changanacherry)

Order : Petitions is allowed.

ORDER

This petition is filed u/s.228 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the accused in CC 4087/2019 in which cognizance has been taken for offences punishable u/s.498A rw 34 of IPC seeking exemption from appearing before the court on subsequent hearing dates.

2) According to the petitioner, he needs to go to abroad in connection with his job. Hence he may not be able to appear before the court on all the posting dates. The petitioner has undertaken not to dispute his identity during trial and to appear before the court as and when it is so directed. Hence it is pleaded to grant exemption from appearing before the court, on the subsequent hearing dates for which the petition came to be filed.

3) Heard the both sides. The learned APP opposed the application stating that chance of the accused fleeing from court cannot be ruled out.

4) Petitioner is the accused in CC 4087/2019 registered u/s.498A rw 34 of IPC. Petitioner appeared before the Court with sureties and bail was granted. Though trial has commenced, there is no point in asking him to remain here till the case is over, given the fact that he has undertaken not to raise any dispute regarding his identity. The apprehension expressed by the prosecution can be addressed by imposing stringent conditions. Thus on an overall consideration of the facts and circumstances discussed above, the petition is allowed for a period of three years on the following conditions.

- i) The petitioner shall be represented by his duly engaged counsel on all successive hearing dates, without fail.
- ii) The petitioner shall not raise any dispute regarding his identity.
- iii) The petitioner shall file affidavit disclosing his residential as well as official address abroad.
- iv) The petitioner shall appear before the court in person as and when it is so directed.

(Dictated to the confidential assistant, transcribed by her, corrected and pronounced by me in open court on this the, 24th day of February 2026)

Sd/-
Judicial First Class Magistrate-I
Changanacherry