

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

Present: Shri. Manoj. M. N., Judicial First Class Magistrate
Friday 09th day of January, 2026

CMP. 04/2026

In

CC No. 213/2021

Petitioner/Accused No. 4: Sabid Arafath C. K., Age: 32, S/o. Nassar, Kuttirimal House, Manassery, Manassery P.O., Kozhikkode
(By Adv. Sri. Muhammed Shafi. K., Manjeri)

Respondent 1: State: Represented by the Sub Inspector of Police, Vazhakkad Police Station in Crime No. 340/2020
(By Assistant Public Prosecutor, Malappuram)

Offence : U/s.448, 323, 506(i) r/w 34 of IPC

Order : Petition is allowed.

This petition coming on for hearing today, the court passed the following

ORDER

1. Petition filed u/s. 205 of Cr.P.C. to exempt the accused No. 4 from personal appearance before the court and permit him to appear through counsel.
2. Offences alleged against the accused are U/Ss. 448, 323, 506(i) r/w 34 of IPC.
3. Accused appeared before the court and he was enlarged on bail.
4. Petitioner filed an application U/s. 205 of Cr.P.C. to exempt him from personal appearance before the Court. It is submitted by the petitioner that he wants to go abroad for earning his livelihood. He also filed affidavit stating that he will not dispute his identity during trial and he will not take a plea that evidence was recorded in his absence. He also submitted that he will appear before the Court if directed to do so.
5. Heard.

6. On going through the records it is seen that the petition is allowable. Therefore I am of the opinion that he can be permitted to appear through counsel. Hence petition is allowed permitting counsel to appear for the accused before court on following conditions.

1. Accused shall not dispute his identity during the evidence and he shall file an affidavit to that effect.
2. Accused shall not take a plea that evidence was recorded in his absence before this court or any other court.
3. Accused shall appear before the court on as and when directed to do so.

Pronounced in open court on this the 09th day of January, 2026.

**Judicial First Class Magistrate
Malappuram**