

IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS, THIRUVALLA

Present: Smt. Greeshma A S, Judicial Magistrate of the First Class.

Friday the 05th day of June, 2026/ 15th day of Jyaishta 1948 S.E.

Crl.M.P 03/2026

in

CC 2147/2020 [Thiruvalla P S Crime No. 1952/2019].

Petitioner/Accused	:	Suja Kumari, Aged 53 W/o Saji Njarayckal House, Thukalasseri Muri, Thiruvalla Village. (By Adv. K M Muhammadali Jinnah)
Respondent	:	State of Kerala represented by the Inspector of Police, Thiruvalla. (By Assistant Public Prosecutor, Thiruvalla)
Order	:	Petition is allowed.

ORDER

1. The above petition is filed by the petitioner/ accused u/s. 228 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
2. The averments in the petition in brief are as follows; Petitioner is the accused in the above case. Offences alleged against him/her is u/s. 420 of the Indian Penal Code. It is averred that the petitioner intends to go abroad for his/her employment purpose. Therefore the petitioner has prayed for dispensing with his/her personal attendance. Hence the petition.
3. No written objection filed by leaned APP.

4. Heard both sides.
5. On verification, it is seen that petitioner has taken bail in the case and charges have also been framed against him/her. If the petitioner files an affidavit to the effect that he/she shall not deny his/her identity during his/her absence during trial, it may not be necessary to insist on the presence of the petitioner on each and every posting. The reason stated by the petitioner for exempting her appearance also appears to be reasonable and genuine. Hence, the petition is allowed on the following conditions;

1. *The petitioner shall file an affidavit to the effect that he/she shall not dispute his/her identity as the particular accused in the case when trial goes on in his/her absence and shall always be represented by his/her lawyer.*
2. *The petitioner should undertake, that his/her counsel in his/her behalf should be present in Court and she shall always be represented by the lawyer.*
3. *The petitioner should undertake that he/she has no objection in taking evidence in his/her absence treating the presence of the counsel as his/her presence, in compliance with S.317 of Code of Criminal Procedure.*
4. *The petitioner shall not take plea that evidence in this case was recorded in his/her absence in this Court or before any other Court/forum.*
5. *The petitioner shall personally appear before Court as and when specifically required.*

**JUDICIAL MAGISTRATE OF THE FIRST CLASS
THIRUVALLA.**