

MHAH030000872012 	<u>REG. CRI. CASE NO. 539/2012</u> The State of Maharashtra Vs. Vijaysingh Kisansingh Pardeshi
---	---

ORDER BELOW EXH.561

The accused No.11 has moved present application for grant of permanent exemption. It the contention of the accused that he had under gone three surgeries. He is suffering from spinal disease and he is old aged and doctor has advised him for total bed rest. It is therefore, very difficult to him to attend the matter. He will not challenge the identity, so that matter can be heard in his absence. Hence, prayed to allow the application.

2. Learned APP specifically opposed the application on the ground that considering the contention mentioned in the application, supporting documents was necessary to support the contention. Hence, prayed for necessary order.

3. Learned counsel for the accused has filed MRI report, prescription of doctor to show his illness. From the application and documents of accused, it is clear that he is suffering from the spinal disease. The accused is not challenging his identity. Therefore, if his permanent exemption granted it will not prejudice to the prosecution as he can be called at the time of recording evidence. Hence, no prejudice will be caused to the prosecution. However, to secure his presence through Advocate, some conditions needs to be imposed. In the result, I pass the following order -

ORDER

- 1] The application is allowed.
- 2] Permanent exemption of accused No.11 is granted till further order.
- 3] The accused No. 11 is directed to keep his Advocate present on his behalf in the Court, in default necessary order shall be passed.

Ahmednagar
Date :01.01.2026.

(L. S. Padhen)
Chief Judicial Magistrate,
Ahmednagar.