

State of Maharashtra Through Police Station, Sironcha.

-vs-

Vidhyasagar Rajam Tota and others

ORDER BELOW EXH.42

(Passed on 18/12/2025)

By way of present application, Accused no.1 to 5 sought exemption for today in court proceedings. Ld. Advocate for accused filed present application online.

2] He stated that, accused no.1 could not secure leave from his office, accused no.2 and 3 are old age persons and unable to travel, accused no.4 and 5 are having annual exams of their children and therefore accused no.1 to 5 are unable to attend court proceedings.

3] Ld. Advocate for accused further stated in the application that, as the Ld. APP is not available in the court since long, therefore the case could not progress further and therefore he sought exemption.

4] Perused application and record of the case. It is seen that, accused no.2 to 5 are consistently absent in the matter. The record specifically shows that, since 31/08/2024 accused no.2 to 5 are only appeared on 09/09/2025. The permanent exemption application filed by accused no.1 to 5 below Exh.35 is still pending due to non presence of accused persons. It is also seen that, on last date also accused are absent and no exemption application is filed

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on record. The conduct of accused persons is not at all acceptable. Therefore, they are not entitled for today's exemption.

5] So far as contentions of Ld. Advocate for accused is concern, that the post of Ld. APP is vacant in the court and therefore no further progress will be done in the matter. It is seen that, the present case is pending of framing of charge and there is no necessity for presence of Ld. APP at this stage. Therefore, the contentions of Ld. Advocate for accused is not acceptable. The accused are consistently absent therefore the case is unnecessarily pending. Hence, I passed following order.

ORDER

- 1] Exemption application below Exh.42 is rejected.
- 2] Issue bailable warrant of Rs. 5,000/- each against accused no.1 to 5.

Sironcha.

Date:- 18/12/2025.

(Unmesh B. Shriram)
Judicial Magistrate F.C.,
Sironcha.