

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

Present:-

Smt. Arundhathi Dileep, Judicial First Class Magistrate.

Thursday the 20th day of June, 2024/ 30th day of Jyaishta 1946 S.E.

Committal Proceedings No. 49/2023.

Complainant	:	State of Kerala represented by Sub Inspector of Police, Thiruvalla as per Crime number 393/2023 of Thiruvalla Police Station. [By Smt. Rejani, APP, Thiruvalla)
Accused	:	1. Roshan Varghese, Aged 27/23 S/o Reji Varghese Chunkathilaya Chirappattil House, Anjali Junction, Thirumoolapuram P O, Thiruvalla Village. 2. Rahul Surendran, Aged 27/23 S/o Surendran Valiyaprambil House, 28 Acre, Mammoodu P O, Madappally Village. [By Adv. Vibitha Babu]
Offences	:	Under sections 294(b), 323, 324 and 308 r/w section 34 of the Indian Penal Code and Section 27 of the Arms Act.
Order	:	The case is committed to the Hon'ble Sessions Court, Pathanamthitta, u/s. 209 Cr.P.C.

This is a case having been finally heard on 20/06/2024, the Court on the same day delivered the following:-

ORDER

1. The accused stands charge sheeted by the Sub Inspector of Police, Thiruvalla as per Crime No. 393/2023 of Thiruvalla Police Station for the offences punishable under sections 294(b), 323, 324 and 308 r/w section 34 of the Indian Penal Code and Section 27 of the Arms Act.
2. The prosecution case in short is as follows:- On 21/03/2023 at about 19.30 hours., at Anjali junction, Thiruvalla Village, the 1st accused in furtherance of the common intention with accused Nos. 2 and 3 had hit and kicked the defacto complainant and slashed a sword at him causing injury to the left hand and cheek. Had the defacto complainant not resisted the said act of the accused, it would have resulted in his death. Thus the accused have committed the offences alleged under sections 294(b), 323, 324 and 308 r/w section 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. On filing of the final report, court took cognizance of the offences punishable under sections 294(b), 323, 324 and 308 r/w section 34 of the Indian Penal Code and Section 27 of the Arms Act. On appearance of the accused, copies of all the prosecution records were furnished to them in compliance of section 207 of the Cr. P.C.
4. On perusal of the case records, it is seen that accused are on bail and the offences alleged against them are exclusively triable by the Hon'ble Court of Sessions. Therefore, the following order is passed:-

- i. The case is committed to Hon'ble Court of Session, Pathanamthitta as per Sec. 209 Cr.PC.*
- ii. Accused are on bail. They are directed to appear before Hon'ble Court of Session, Pathanamthitta on receipt of summons from the Court.*
- iii. Case records shall be forwarded to the Hon'ble Court of Sessions, Pathanamthitta and the properties produced, if any, shall be sent subject to Rules 77(2) of Criminal Rules of Practice, Kerala.*
- iv. The committal of the case shall be notified to the learned Public Prosecutor, Pathanamthitta.*

Dictated to the Confidential Assistant, transcribed and typed by her corrected by me and pronounced in open court on this day the 20th day of June, 2024.

Sd/-

JUDICIAL FIRST CLASS MAGISTRATE,
THIRUVALLA.

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JUDICIAL FIRST CLASS MAGISTRATE,
THIRUVALLA.