

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II,
PATHANAMTHITTA**

Present:-Miss. Anjali Devi. P, Judicial First Class Magistrate-II.

23rd day of March, 2026

Case No ST 1705/22

Complainant : State represented by the
Sub Inspector of Police
Elavumthitta in crime
no.552/22
(By APP.Gr.II,Pathanamthitta)

Accused : Raveendran

Offence : U/ss. 279 IPC 3(1) 181,196 r/w
146 MV act

Order : Accused is released u/s. 258 of
Cr.P.C.

ORDER

1. The accused/accused persons stands facing trial for the offences punishable under section 279 IPC 3(1) 181,196 r/w 146 MV act
2. Repeated processes have been issued. Accused has not been produced till date, as the presence of the accused could not be secured by the prosecution.
3. Perused the records and the report filed. I am satisfied that the proecution has taken maximum effort and the presence of the accused cannot be procured despite their best efforts at locating the accused and that the costs of ensuring the appearance of such accused far exceed the maximum fine that is prescribed under the statue for the offence alleged.

4. The Hon'ble High Court of Kerala, in its judgement in OP (Crl) No 809/2023 dated 5/12/2023, directed that where the prosecution files a report stating unambiguously that despite it's best efforts at locating the accused, it has not been successful in securing the presence of the accused before the magistrate, the magistrate concerned shall scrutinize the report submitted by the prosecution to satisfy himself/herself of the fact that reasonably sufficient steps have been taken by the prosecution to ensure the presence of the accused or that the cost of ensuring the appearance of such accused far exceed maximum fine that is prescribed under the statute for the offence concerned. In the event of such satisfaction by the Magistrate, it would be permissible for the magistrate to record an order of stoppage of proceeding in accordance with section 258 of Cr.PC. I am following the directions of Hon'ble High Court in this decision.

5. Hence in compliance of the direction of the Hon'ble High Court of Kerala in OP (Crl) No 809/2023 dated 5/12/2023, I am duty bound to stop proceedings and hence the proceedings against the accused in this case are stopped under section 258 Cr.PC and the accused is/are released. The release shall have the effect of discharge under section 258 of CrPC.

(Dictated to the Confdl. Asst., transcribed and typed by her, corrected by me and pronounced in open Court on this the 23th day of May, 2026)

sd/-

Judicial Magistrate of the First Class - II,
Pathanamthitta.

//True Copy//

Judicial Magistrate of the First Class - II,
Pathanamthitta.