

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE
AMBALAPUZHA**

Present : Aiswarya Ann Jacob

Judicial Magistrate of First Class

Dated this, the 31st day of March, 2026

C. P. No. 12/2026

- Complainant : State represented by the Sub Inspector of Police,
Punnapra Police Station in Crime No. 354/2022.
Rep. by A.P.P, Ambalapuzha
- Accused : Shaji, aged 57 years, S/o. Abdul Khader,
Velinthara veedu, Punnapra PO,
Punnapra Thekk P/W-11.
Rep. by Adv. R. Vijayachandran
- Offences : Punishable u/s. 294(b), 451, 323 of Indian Penal
Code.
- Order : Case is committed to the Hon'ble Sessions Court,
Alappuzha u/s.362 of BNSS, 2023.

This case coming on this day, the court passed the following :

ORDER

1. The final report is filed by the Sub Inspector of Police, Punnapra Police Station in Crime No. 354/2022, alleging commission of offences punishable u/s. 294(b), 451, 323 of Indian Penal Code (in short 'IPC') against the accused.
2. The prosecution case, in brief, is that on 11.04.2022 at about 3:00 PM, at the compound of the house named Kollamparambu House bearing No. 341/XI of Punnapra South Panchayath, belonging to Beema Sainudheen, the accused, hurled obscene words and voluntarily caused hurt to CW2 by slapping him on his

cheek and neck with his hands. Thus, the accused is alleged to have committed the aforesaid offences.

3. Accused appeared before the court and had taken bail. Copy of all the relevant prosecution records were furnished to the accused. Particulars of the offences u/s. 294(b), 451, 323 of IPC, read over and explained to accused, to which he pleaded not guilty and claimed to be tried.
4. The case was originally taken on file as CC No. 361/2021 against accused. On perusal it is seen that the CW2 is a minor. The dictum laid by the Hon'ble High Court of Kerala in **Martin Jose and Another v. State of Kerala (2020 (2) KHC 112)** is also given due consideration. Hence the case is renumbered as CP No. 12/2026; the present case.
5. On perusal of the prosecution records, this court is satisfied that the offence alleged is exclusively triable by the Hon'ble Sessions Court. Hence, the case is committed to the Hon'ble Sessions Court, Alappuzha as provided u/s. 362 of Bharatiya Nagarik Suraksha Sanhita, 2023.
6. The accused shall appear before the Hon'ble Sessions Court, Alappuzha as and when directed.
7. The entire case records and material objects shall be forwarded to the Hon'ble Sessions Court, Alappuzha forthwith. The office is also directed to communicate to the learned Public Prosecutor, Alappuzha as provided u/s.362 of BNSS, 2023.

(Dictated to the Confidential Assistant, typewritten by her, corrected and pronounced by me in open court, on this 31st day of March, 2026.)

Sd/-

Judicial Magistrate of First Class
Ambalapuzha

//True copy//

Judicial Magistrate of First Class
Ambalapuzha