

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE –II,
CHERTHALA**

Present: Smt. Aminakutty P M,
JUDICIAL FIRST CLASS MAGISTRATE-II

Dated, this the 11th day of March, 2026

C.P. No. 73 of 2025

Complainant : State of Kerala represented by the Sub Inspector
of Police, Arthungal Police Station,
Cr.No.131/25.
(By Assistant Public Prosecutor, Cherthala -II).

vs

Accused : Binu J, aged 49 yrs. S/o. Maranad House
Arthunkal P O
Cherthala South PW 4, Arthunkal.
(By Adv. Sri.John Jude Issac)

Offence : U/ss. 331(4), 329(3), 75(1)(i), 78(1)(i) of BNSS

Order : Case committed to Hon'ble Sessions Court,
Alappuzha u/s. 232 of BNSS

This case coming on for hearing on this day and the court on the same day
passed the following:

ORDER

This case was charge sheeted by the Sub Inspector of Police, Arthungal
Police Station, in crime No.131 of 2025 for the offences punishable u/ss. 331(4),
329(3), 75(1)(i), 78(1)(i) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter in short as
BNS).

2. The prosecution allegation in brief is as follows:- On 14.01.2025, in the early

morning at around 03:00 hours, the accused criminally trespassed into the Chakkum Thayil house, where CW1 has been residing with her family and committed sexual assault on her . Thereafter, on 16.01.2025 at 16:00 hours, she again criminally trespassed into the said house and attempted to commit sexual assault on CW1 , and thereby the accused committed offences punishable under Sections 331(4), 329(3), 75(1)(i), and 78(1)(i) of the Bharatiya Nyaya Sanhita, 2023 (BNS). Thereby , the accused committed offences punishable under Sections 331(4), 329(3), 75(1)(i), 78(1)(i) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The accused was served with notice and he was released on bail by the investigation officer. Upon filing Final Report, the case was mistakenly taken on file as CC 314/25. Summons issued to the accused. On receipt of summons the accused entered appearance and he was released on bail. Copies of the prosecution records were furnished to him. He was defended by the counsel appointed by him.

4. On a perusal of records, it appeared that the offence u/s 75(1) (I) alleged against the accused is exclusively triable by the Court of Session. Hence, the case was refiled as the present case and committed to the Hon'ble Court of Sessions, Alappuzha u/s. 232 of BNSS for trial.

5. Transmit the case records and properties if any, to the Hon'ble Sessions

Court, Alappuzha. Accused is on bail. He is directed to appear before the Hon'ble Sessions Court, Alappuzha as and when required. Issue notice to the Public Prosecutor, Alappuzha regarding the factum of committal of the case.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on this the 11 th day of March, 2026.

Sd/-

Aminakutty. P.M.
Judicial First Class Magistrate– II,
Cherthala.

// True copy //

Judicial First Class Magistrate– II,
Cherthala.