

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

Present:-Seethalakshmy Y, Judicial Magistrate of First Class – I
Dated this 19th day of May, 2026.

**CMP No. 2/2026 in Cr. No. 404/2026 of Kayamkulam
Police Station**

Petitioner : Inspector of Police(SHO), Kayamkulam
Police Station in Crime No. 404/2026 of
Kayamkulam Police Station.
(By Sr. Arun P, APP Sr. Grade, Kayamkulam)

Accused : 1. Hameed Kunju, Aged 72 years, S/o. Maitheen
Kunju, Puthentharayil, Prayar North Muri,
Puthupally Village.
2. Nissamudheen, Aged 44 years, S/o. Hameed
Kunju, Puthentharayil, Prayar North Muri,
Puthupally Village.
(By Adv.Unnimaya.L,Adv.Muhammed Aslam.S, Adv.Ajmal A)

Offence : U/ss. 296(b),109(1),118(1), 249(b) ,3(5)of the
Bharathiya Nyaya Sanhitha, 2023.

This petition coming on this day for consideration, the court on the same day, passed the following:

ORDER

This petition is filed by Sri. Arun Sha, Inspector SHO of Police, Kayamkulam Police Station to get the police custody of accused involved in Crime No. 404/2026 for offence punishable under Sections 296(b),109(1),118(1), 249(b) ,3(5)of the Bharathiya Nyaya Sanhitha, 2023.

1. The Sub Inspector of Police has filed affidavit under Rule 20 of the Criminal Rules of Practice, Kerala.
2. The accused persons were produced on production warrant. Copy of affidavit and petition served to the counsel for the accused .
3. It is stated that police custody is required for recovering of vehicle used while absconding and clothes used in the crime and also to collect further evidence.
4. Heard both sides.
5. The learned Assistant Public Prosecutor argued that the custody of the accused persons are required for recovering the Vehicle and Clothes used in this crime and for further investigation.

6. The counsel for accused objected to the petition stating that the custody sought is exorbitant.
7. On perusal of the custody application and other documents I am satisfied that the custodial interrogation is necessary for proper investigation and to recovering of Vehicle used while absconding and clothes used in the crime and also to collect further evidence.
8. I have interviewed the accused produced physically. He appear mentally and physically fit.
9. Considering the facts and circumstances of the case, custody of the accused persons is given to Sri.Arun Sha, Inspector SHO of Police, Kayamkulam from 12.00 PM on 19.05.2026 today till 04.00 PM on 20.05.2026. During the period of police custody, the petitioner or anyone under him shall not subject the accused persons to physical or mental harassment of any nature. They shall also not be otherwise interfered with. The accused persons shall be produced before the Court, at or before 04.00 PM on 20.05.26 with medical certificate.
10. Petitioner shall himself return the accused persons. He shall provide adequate medical assistance to the accused persons.
11. Needless to state that the petitioner shall comply all the directions of the Hon'ble Supreme Court and Hon'ble High Court of Kerala regarding custodial interrogation.

(Pronounced by me in open court this the 19th day of May, 2026)

Sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

Copy to:

Sri. Arun Sha, Inspector of Police(SHO), Kayamkulam.

The Hon'ble Chief Judicial Magistrate, Alappuzha with Covering Letter.

The Superintendent, Special Sub Jail, Mavelikara

The file.

Sd/-

Judicial First Class Magistrate-I