

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
CHENGANNUR**

Present:- Smt.Anupama.S.Pillai., Judicial First Class Magistrate - I

Dated this, the 18th day of February, 2026.

CC 5283/2018

Complainant : State of Kerala represented by the SHO of
Mannar P.S in Crime No. 1854/2018
[By APP-1, Chengannur]

Accused : Isudeen, Aged 19/18, S/o Suneer, Karisseriyil Veedu,
Eruva Muri, Pathiyoor Village.

Section of law : U/s.281 of BNSS

ORDER

1. The case stands charge sheeted by the Sub Inspector of Police, Mannar Police Station in Crime No. 1854/2018 against the accused alleging the commission of offence punishable u/s. 279 IPC and Sections 132(1) r/w 179 of MV Act. The FIR was set in motion by Sub inspector of Police, Mannar Police Station as the complainant.
2. **The prosecution case is brief as follows:-** On 25.10.2018 at about 18.00 Hrs the accused, drove away the vehicle bearing registration no. KL 29 J 5665 in a rash and negligent manner through Thiruvalla - Mavelikkara road, without complying the order of the officials to stop. Thus, the accused alleged to have committed the offence punishable u/s. 279 IPC and Sections 132(1) r/w 179 of MV Act.
3. After taking cognizance of the offence, this Court took the case on file as the afore CC. Despite repeated issuance of summons and warrant, the presence of the accused could not be secured. The case now stands posted for return of summons to 27.03.2026.
4. It is at this stage, the SHO of Mannar police filed a report stating that despite their best efforts, they were not successful in securing the presence of the accused. They have diligently taken sufficient steps to ensure the presence of the accused before the Court. A search was conducted in many places. On investigation, it is turned out that the given address of the accused is incorrect. Despite the efforts of the Station House Officer, no current address of the accused could be traced out. In the above circumstance, it is

impossible to find out where the accused is. About 7 years have been elapsed from the date of occurrence of the crime.

5. From the records of the proceedings, with the report filed by SHO, it is clearly turned out that despite the best efforts of the Mannar police in locating the accused, they were not successful in securing the presence of the accused before this Court. Reasonably sufficient steps have been taken by the prosecution to ensure the presence of the accused. I am also satisfied that the cost of ensuring the appearance of the accused would far exceed from the maximum fine that is prescribed under the statute for the offence. Hence on satisfying with both these factors, this Court is inclined to record an order of stoppage of proceedings u/s. 281 of BNSS. It is seen from the records of the case that evidence of principal witness have not been recorded. Here, the accused is to be discharge of the alleged offence.

In the result,

The accused is discharged u/s. 281 of BNSS for the offence punishable u/s. 279 IPC and Sections 132(1) r/w 179 of MV Act. .

Dated this, the 18th day of February, 2026.

Sd/-
Judicial First Class Magistrate-I
Chengannur