

**IN THE COURT OF SESSIONS, ERNAKULAM DIVISION**

*Present:-*

**Sri. K.K.Balakrishnan, Sessions Judge**

Saturday, 21<sup>st</sup> day of March, 2026/30<sup>th</sup> Phalguna, 1947

**Crl.MP No.01/2026 in Crl.RP No.21/2026**

**Petitioner/** Sheeba Radhakrishnan, aged 51 years,  
**Revision Petitioner:** W/o.K.G.Radhakrishnan, Villa No.6, Kent Illam,  
Puthiya Road, Vennala, Ernakulam-682028.

**By Advs. Sajen Thampan, Jinu Samyuktha,  
Ayoona Sai, Athil Jamal**

**Respondent/** State of Kerala represented by S.I. of Police,  
**Complainant:** Kadavanthara Police Station through Public  
Prosecutor, District & Sessions Court, Ernakulam-682  
011.

**By Public Prosecutor Sri. Manoj G Krishnan**

This petition filed u/s.438 r/w Section 440 of Bharatiya Nagarik Suraksha Sanhita praying this Court to stay all further proceedings in Crl.MP No.2362/2025 in Cc No.617/2023 in the file of JFCM-VIII, Ernakulam.

This petition coming on for hearing on 21.03.2026 and the Court on the same day passed the following:

**ORDER**

This petition is filed by the appellant to stay the operation of Order dated 06.01.2026 in CMP No.2362/2025 in C.C.No.617/2023 passed by the Court of Judicial Magistrate of First Class-VIII, Ernakulam.

2. The trial court in the Order erred in simultaneously finding that offences punishable under section 406, 420 are attracted against the revision petitioner, which cannot co-exist in the same set of facts. In such circumstances,

there exists a high likelihood of the revision petitioner being discharged. The petitioner stated that there are valid grounds for the revision petitioner against the order and there is every possibility to set aside the order of the trial court. If further proceedings in that order is not stayed, it will cause irreparable injury and hardship to the petitioner. So, pleaded for granting stay for the order passed by the trial court. Hence, this petition.

3. Heard the learned counsel for the petitioner.

4. The learned counsel for the petitioner repeated the contentions in the petition and argued for granting stay for the further proceedings in the above said order of the trial court till the disposal of the revision petition.

5. The revision petition already admitted and notice issued to the respondent and the case is posted to 02.06.2026. I have perused the available records. Considering the facts and circumstances of the case, I am of the view that for the interest of justice, further proceedings in the above stated order passed by the trial court is to be stayed till the next posting date. So, the petition is partly allowed and the order passed by the trial court is stayed upto 02.06.2026.

*Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 21<sup>st</sup> day of March, 2026.*

Sd/-  
**K K Balakrishnan**  
**Sessions Judge**

Typed by: sm  
Comp.by:

**Crl.MP No.01/2026 in**  
**Crl.RP No.21/2026**  
**Order dated: 21.03.2026**