

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE – I,
N. PARAVUR**

Present:- Sri. Jayaraj M.P., Additional District & Sessions Judge – I

Monday, the 27th day of October, 2025/ 5th Karthika, 1947.

Crl. M.P. No.2723/2025 in S.C. No.500/2025

Complainant/Petitioner:-

State of Kerala.

By Adv. P.Sreeram, Special Public Prosecutor

Accused/Respondent:-

Rithu Jayan @ Achu, S/o.Jayan, Kaniyamparambil
House, Pereppadam, Kizhakkumpuram, Chendamangalam
Village.

By Adv. Nimal Joseph

This petition filed under Section 193(9) of the Bharatiya Nagarik
Suraksha Sanhita 2023 to permit for further investigation.

This Petition coming on for hearing before me on 25.10.2025 and
the court on 27.10.2025 passed the following:-

ORDER

Petition for permission for further investigation.

2. This petition is filed by the Special Public Prosecutor for
permission for further investigation.

3. Prosecution case, in brief, is as follows :- On 16.01.2025 at
6.00 PM at Chendamangalam kara in Chendamangalam village, accused

attacked deceased Venu, his wife, daughter and son-in-law using motorcycle stump and knife. Venu, his wife and daughter died and his son-in-law sustained grievous hurt.

4. Investigation was over and the final report was submitted before this court. Accused is in judicial custody. Accused was furnished with copies of prosecution records and case was posted for framing charge after hearing both side. Charge has not been framed as accused has raised objection that proper list under Rule 19(4) of Criminal Rules of Practice was not filed and copies of some of the documents were not furnished on him.

5. Presently, Special Public Prosecutor is appointed to conduct this case. He filed this petition on the ground that statement of CW2, the injured, had not been recorded during investigation as he was under treatment in hospital. Special Public Prosecutor submitted that CW2 is discharged from hospital, he is on rest and his statement is to be recorded. He further submitted that there are further documents to be submitted before this court.

6. Notice given to learned defence counsel.

7. Heard both sides.

8. It is the prerogative of the police to conduct further investigation if any new fact is brought to the notice of the police requiring further investigation. Accused has no role in deciding whether further investigation is to be ordered or not. Accused in this case has not raised objection against further investigation also. The reason stated by the Special Public Prosecutor for further investigation is justified. Therefore, this petition is to be allowed.

9. For the above reasons, this petition is allowed.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court, on this the 27th day of October, 2025.

Jayaraj M.P.
Additional Sessions Judge – I

Appendix:- Nil.

Additional Sessions Judge-I

Typed by : Siji
Comp. By : Vijitha

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Order dated: 27.10.2025