

**IN THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE I,
THAMARASSERY**

Present: Sri. Fayiz.T, Judicial First Class Magistrate

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Dated this the 23rd day of April, 2026

CP: 01/2026

State represented by the Sub Inspector
of Police, Thamarassery Police Station
Thamarassery, Cr.171/2025.

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Complainant

(By Sri. Geoffrey George Joseph,
AP Sr.Gr., Thamarassery)

Shivadasan Nair, S/o Sankaran,
Aged 58/2025, Chettiyanthodukayil
H.O, Thamarassery, Thamarassery
P.S, Kozhikode.

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Accused

Offences : U/ss. 8(1)&(2), 55(i) and 58 of
Kerala Abkari Act.

ORDER

1. This case has been instituted on the police report filed by the Sub Inspector of Police, Thamarassery Police Station, in Crime No. 171/2025, alleging commission of offences punishable under Sections 8(1) & (2), 55(i) and 58 of the Kerala Abkari Act.

2. The prosecution's case in brief, as stated in the police report/charge sheet, is as follows: 24.02.2025 at 06.40 PM, in Ambalamukku, the accused was found in possession of 2 litres of arrack and was selling arrack. Thus, the accused committed the aforesaid offences.

3. On receipt of the final report, cognizance of the offences was taken and the case was taken on file as C.P. No. 1/2026. The accused was initially on bail. As he failed to appear in response to summons, his bail was cancelled and a non-bailable warrant was issued. He was thereafter arrested and produced before this Court on 05.04.2026 and remanded to judicial custody at the Special Sub Jail, Kozhikode, where he continues to be in custody. Legal Aid Counsel was appointed for the accused. Copies of the prosecution records were furnished to him in compliance with Section 230 of the Bharatiya Nagarik Suraksha Sanhita.

4. Heard the learned Assistant Public Prosecutor and the learned counsel for the accused. Perused the prosecution records. Since the offences alleged are exclusively triable by the Hon'ble Sessions Court, the case is liable to be committed for trial. Accordingly, the following orders are passed:

1. The case is committed to the Hon'ble Sessions Court u/s.232 of the BNSS.
2. Send to the Hon'ble Sessions Court the record of the case and the documents and articles, if any, which are to be produced in evidence.
3. Notify the Public Prosecutor of the commitment of the case.
4. The Superintendent, Special Sub Jail, Kozhikode shall produce the accused before the Hon'ble Sessions Court, Kozhikode, as and when directed.

Dated this the 23rd day of April, 2026.

Judicial First Class Magistrate-I,
Thamarassery.