

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST
CLASS-II, PARAVUR**

**Present: Smt. Chithralekha. N.S.
Judicial Magistrate of the First Class**

Dated : 27th day of November, 2025

CMP 2407/2025 IN ST 1741/2023

Petitioner : Francis, Aged 49, S/o. Sasindran Unnithan,
Ooramvelil House, Karamcode P.O.,
Chathannur, Kollam.
(Represented by Adv. A R Sajju)

Respondent : Aneesh K, Aged 52, Perumkulathu Puthen Veedu,
Anavattachira, Kulathupuzha, Kollam.
(By Adv. P S Jobin)

Order : The CMP is allowed.

This case coming on for hearing today, the court passed the following:-

ORDER

1. The CMP stand filed by the complainant in ST 1741/2023 on the file of this court, disclosing an offence u/s. 138 of NI Act.
2. The crux of the averments of the petition in nutshell is as follows:- The petitioner submitted that warrant was issued in the case and the accused is evading arrest. Hence it may be submitted that the warrant be issued by hand to the complainant. Hence this petition.
3. Heard learned counsel for the petitioner and perused the available

records.

4. The case was taken cognizance on 05.07.2023. The accused was enlarged on bail on 28.10.2023. On 22.02.2025 particulars of offence were read over to the accused for which he pleaded guilty and the case was posted for evidence. On 02.08.2025 and 30.10.2025 the accused remained absent with no representation and warrant is being issued since then and the case is posted for return of warrant to 31.01.2026. It may be noted that the accused has wilfully evaded from attending the court since 02.08.2025. The case is now at the stage of evidence. The trial is lagging due to absence of the accused. Effective execution of the warrant could be possible by issuing warrant by hand. In the result it appears in the interest of justice that warrant be issued by hand.

The office is directed to issue warrant to the petitioner by hand.

In the result, the petition is allowed.

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

Sd/-
Judicial Magistrate of the First Class-II
Paravur