

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

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

Dated this the Thursday, the 9th day of October, 2025

CMP 2006/2025 IN CC 1292/2015

Petitioner	The Assistant Public Prosecutor, JFMC-II, Paravur.
Respondent/ accused	1. Noufal, Aged 36, S/o. Pookunju, Pallicheruvil Veedu, Muttakkavu, Nedumpana Village. 2. Shereef, Aged 40, S/o. Asanarukunju, Nellari Moolavila Veedu, Muttakkavu, Nedumpana Village.
Order	: CMP is allowed.

ORDER

1. This petition stands filed u/s. 348 BNSS by the learned Assistant Public Prosecutor in CC 1292/2015 on the file of this court.

2. The averments of the petitioner in a nutshell is as follows:-The case was posted for the final hearing. As CW1 was examined there was no identification of accused no. 1 as he remained absent. Hence said witness be recalled for the purpose of identification. Hence this petition.

3. Heard the learned Assistant Public Prosecutor and perused the available records.

4. The identification of the accused before court is a substantive piece of evidence. The plea of learned Assistant Public Prosecutor is

considered otherwise it would result in irreparable loss. Absence of accused before court cannot be made advantage by the accused. In the result the petition stands allowed.

In the result, the CMP stands allowed.

(Dictated by me, transcribed and typed by Confidential Assistant and corrected by me and pronounced in the open court, on this the 9th day of October, 2025).

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