

**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 12<sup>th</sup> day of February, 2026**

**CMP 1/2026 IN CC 1403/2015**

|                        |                                                                                                                                                                                                           |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Petitioner/Complainant | Smt. Dhanya A S,<br>Assistant Public Prosecutor Gr. II,<br>Judicial First Class Magistrate Court – II,<br>Paravur                                                                                         |
| Respondents/ Accused   | 4. Nizam, Aged 49, S/o.Hydrosekunju,<br>Nasiya Manzil, Kundumon,<br>Adichanalloor Village.<br>5. Laila, Aged 40, D/o. Arifa,<br>Nasiya Manzil, Kundumon,<br>Adichanalloor Village.<br>(By Adv. V Minimol) |
| Order                  | : CMP is allowed.                                                                                                                                                                                         |

**ORDER**

1. This petition stands filed u/s. 348 BNSS by the learned Assistant Public Prosecutor in CC 1403/2015 on the file of this court.

2. The averments in brief of the petitioner is that :- CW6 who had recorded the statement of CW1 and recorded the body note of the victim was not examined in the case. Examining him is needful for the just decision of the case. Hence the order closing evidence be re-opened and CW6 be permitted to be examined in the case.

3. Heard the learned counsel who appeared for accused and learned Assistant Public Prosecutor and perused the available records.

4. On perusal of the proceeding sheet of the case, it is seen that the examination of CW6 could not be effected due to absence of said witness continuously from appearing before court. All coercive steps have been adopted to secure his presence which failed. Considering the fact that examination of said witness is integral to prosecution, the evidence is permitted to be re-opened upon further condition that the presence of said witness shall be procured in the very next opportunity otherwise the order of closure of the evidence will stand revived.

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 12<sup>th</sup> day of February, 2026).*

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