

IN THE COURT OF SESSIONS, THALASSERY DIVISION

Present: Sri. Philip Thomas, Special Judge for the trial of offences
against women and children/ Addl. Sessions Judge-I

Friday the 13th day of March, 2026/ 22nd Phalguna, 1947.

M.C.No.1087/2025 IN SC.No.592/2024

(Crime No.725/18 of Alakode Police Station)

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|---|--|----------------------------|
| 1 | Shobin Sunny, S/o Sunny, aged 34/18,
Kizhakombil (H), Thimiri amsom,
Vadakkumpoyil. |]
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| | (Adv. Sindhu C filed vakalath for the
accused) |]
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| 2 | Madhu, S/o Thankappan, aged 58 years,
residing at Ammanath, Therthalli,
Therthalli PO, Alakode, Kannur- 670 571.
(S1) (Penalty paid as per order dated
29-11-2025) |]
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| 3 | Raju, S/o Pappankuttappan, aged 60
years, residing at Mulayanil, Therthalli,
Therthalli PO, Alakode, Kannur- 670 571,
Kannur District (S2)
(Died) |]
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These proceedings suo-moto taken against the accused and counter
petitioners for accused Shobin Sunny in SC No.592/2024 u/s.446 Cr.PC.

ORDER

This is a suo motu case registered by this Court under S.446 of the
Criminal Procedure Code against the accused and his sureties in SC No.
592/2024.

2. The above numbered sessions case was filed alleging offence u/s.27(b) of NDPS Act and u/s.77 of the Juvenile Justice (Care and Protection of Children) Act.

3. As the accused failed to appear, his bail bond was forfeited and a non-bailable warrant was issued against him. Also, notice was issued to his sureties and the case was posted to 21.07.2025. Notice of both sureties served. On that day, both sureties were absent and this MC was registered against the accused and his sureties as CP Nos.1 to 3 and notice was again issued to CPs 2 & 3 to 19.08.2025. On 19.08.2025 also the CPs2 and 3 were absent and they appeared through counsel and the case was posted to 19.09.2025.

4. On 19.09.2025, CPs2 and 3 were absent and they appeared through counsel. Their application was allowed, and the case was posted to 18.10.2025. On 18.10.2025 also CPs2 and 3 were absent and they filed an application stating that they were coolies and they personally met the accused many times and requested him to appear before the Court, but he was not ready to hear their words. They further stated that the accused is now residing in his native place at Cherupuzha and they informed the matter to the Police. But they were not ready to arrest the accused. Their application was allowed and the case was again posted to 19.11.2025 for their appearance as last chance. On 19.11.2025, CPs 2 and 3 were absent and CP2 applied through his counsel and CP3 was submitted to be no more, and the case was posted to 29.11.2025 for production of the death certificate of CP3 and appearance of CP2.

5. On 29.11.2025, CP2 was present. He was ordered to pay a penalty of ₹10,000/-. After imposing penalty on CP2, the file was inadvertently closed without proceeding against CP1 and CP3. Hence, the file was restored on 23-01-2026 and notice was issued against CP3.

6. Today, the death certificate of CP3 was produced. Hence, MC is dropped against CP3. CP1/accused failed to appear before court. This court finds no reason to allow remission of any portion of the bond amount. Hence, CP1 is ordered to pay a penalty of Rupees 50,000/-. Issue distress warrant against CP1.

In the result, CP1 is ordered to pay a penalty of ₹50,000/-.

(Pronounced by me in open court this on the 13th day of March, 2026)

Sd/
SPECIAL JUDGE/
ADDITIONAL SESSIONS JUDGE-I.

Cks.