

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 17th day of April, 2026/27th Chaithra, 1948.

CrI.MP Nos.01/2026 & 02/2026

(SC No.860/2017 in Crime No.773/2016 of Kannur Town Police Station)

CrI.MP No.01/2026

Petitioner/ State:-

State: SHO, Kannur Town Police Station,
represented by Addl.Public Prosecutor, Thalassery.

Vs.

Respondents/Accused:-

- 1) Anoop Kumar P @ Anumalik\
- 2) Rahila K A @ Raheel
- 3) Nijeesh P R @ Unni

This petition filed by Addl.Public Prosecutor to receive the document.

CrI.MP No.02/2026

Petitioner/ State:-

State: SHO, Kannur Town Police Station,
represented by Addl.Public Prosecutor, Thalassery.

Vs.

Respondents/Accused:-

- 1) Anoop Kumar P @ Anumalik\
- 2) Rahila K A @ Raheel
- 3) Nijeesh P R @ Unni

This petition filed by Addl.Public Prosecutor to receive the additional witness list.

These petitions coming on the 13th day of April, 2026 for hearing before me in the presence of the Addl. Public Prosecutor for the petitioner/State; of Shri. A T Prajil, Advocate for the 1st respondent/1st accused; of Sri. R Mahesh Varma, Advocate for the 2nd respondent/2nd accused and having stood over for consideration till this day; the Court passed the following:-

COMMON ORDER

The above-numbered petitions are filed by the Additional Public Prosecutor. Crl. MP No. 1/2026 is filed by the Additional Public Prosecutor seeking to receive a document while Crl. MP No. 2/2026 is filed to receive an additional witness list in the case. SC 860/2017 was chargesheeted by the Inspector of Police, Kannur Town Police Station alleging offence punishable u/ss.3, 5 & 6 of the Explosives Substances Act and u/s.9B(2) of the Explosives Act, against three accused.

2. The averments in the first petition are that the Scientific Officer, Smt.Sreeja K V inspected the place of occurrence and collected two material objects from the scene of occurrence. The same were packed, labelled, sealed and handed over to the Investigating Officer with a report. But, the Investigating Officer omitted to submit the same before the court due to oversight. Hence, the Public Prosecutor seeks to have that document received on file.

3. As per the averments in the second petition, it is stated that the aforesaid Smt. Sreeja K. V., Scientific Officer, RFSL, Kannur was omitted from the witness list, and hence the additional witness list may be accepted.

4. The first and second accused only filed objection to these petitions, and the contention of the first accused is that the purpose of the prosecution

in filing these petitions is to fill up the lacuna in the prosecution case and that of the second accused is that the petitions are filed at the fag end of the trial and hence it would prejudice the accused.

5. Heard.

6. There is no substance in the contention raised by the defence that the prosecution is attempting to fill up a lacuna in its case. The document now sought to be received was already prepared by the Scientific Assistant, and its non-production before the Court, as well as the omission to include the said witness in the final report, occurred only due to an oversight on the part of the Investigating Officer. In such circumstances, it cannot be held that the prosecution is acting with the intention of filling up any lacuna. The further argument that the document and the witness are being introduced at the fag end of the trial is also without merit. Under Section 311 Cr.PC, in the interest of justice, any relevant document may be brought on record and any witness may be examined at any stage of the proceedings. Therefore, the petitions are liable to be allowed. Hence, the petitions are allowed.

In the result, the above numbered CrI.MPs are allowed.

(Dictated to Adalath AI platform, transcribed and typed in Adalath AI, corrected and pronounced by me in open Court, this the 17th day of April, 2026).

Sd/
SPECIAL JUDGE/
ADDL. SESSIONS JUDGE-I

Copy to:-

1. The Addl. Public Prosecutor.
2. The accused.