

TABULAR FORM

1. Serial Number] Sessions Case No. **856/2018**
2. Name of Police Station and] Thalassery Police Station
Crime No. of the offence] Crime No.1695/2012

DESCRIPTION OF THE ACCUSED

3. Name	4. Father's Name	5. Occu- pation	6. Residence	7. Age
Chottelal	Ramsevak Pattel	Cooli	Bethi PO, Hadagava Police Station, Kunda Taluk, Prathapghand District, Utherpradesh.	22/14

DATE OF

8.	Occurrence	] ]	01-12-2012
9.	Complaint	] ]	13-04-2018
10.	Apprehension of the accused	] ]	05-09-2014 & 28-08-2025
11.	Release on bail	] ]	31-10-2017, under Judicial custody
12.	Commitment	] ]	11-07-2018
13	Commencement of trial	] ]	30-12-2023
13A	Commencement of evidence	] ]	20-06-2025
14.	Close of trial	] ]	02-05-2026
15.	Sentence/Order	] ]	05-05-2026
16.	Service of copy of judgment or finding on accused]]	---
17	Explanation for delay	] ]	B diary extract attached
18	Period of detention undergone during investigation, inquiry or trial for the purpose of Section 428 Cr.P.C.]]]]]]]]	---

Addl. Sessions Court -I, Thalassery,
Dated: 05-05-2026.

Sd/
ADDITIONAL SESSIONS JUDGE-I

IN THE COURT OF SESSIONS, THALASSERY DIVISION

Present: Sri. Philip Thomas, Addl. Sessions Judge-I. Thalassery
Tuesday, the 05th day of May, 2026/15th Vaisakha, 1946

SESSIONS CASE No.856 OF 2018

(Committed by Shri.Donald Sequera, Judicial First Class Magistrate,
Thalassery in C.P. No.31/2018 in Crime No.117/CR/HHW- III/KKD/13 in
Crime No.1695/2012 of Thalassery Police Station)

Complainant	]	State: Detective Inspector, CBCID HHW-III Kannur Sub Unit (Thalassery Police Station Crime No.1695/12) (Prosecution conducted by Sri.Jayaramdas E.,Addl. Public Prosecutor)
Accused	]	Chottelal, S/o Ramsevak Pattel, aged 22/14, Bethi PO, Hadagava Police Station, Kunda Taluk, Prathapghand District, Utherpradesh.
	]	(Accused defended by Adv. S/Shri. Sujith Mohan K and Sijith M)
Charge	]	u/ss.449, 302, 201 IPC
Plea of the accused	]	Not Guilty
Finding of the Judge	]	Not Guilty
Sentence/Order	]	(i) The accused is found not guilty of the offence alleged against him and he is acquitted thereof u/s 232 Cr.PC. Release the accused from custody if his further detention is not necessary in any other case. (ii) the District Legal Services Authority (DLSA), Thalassery is ordered to conduct an enquiry to find out whether deceased Raghavan is survived by any dependant and if so, the District Legal Services Authority (DLSA), Thalassery, is recommended to provide compensation to such dependents, under

]	the Victim Compensation Scheme, 2022. The office of this Court is directed to send a copy of the judgment to the DLSA, Thalassery.
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J U D G M E N T

This case is charged by the Detective Inspector, CBCID HHW III, Kannur Unit in Crime Nu.117/CR/HHW-III/KKD/13 (Crime No.1695/2012 of Thalassery Police Station), alleging offence u/ss.449, 302 and 201 r/w 149 IPC.

2. The prosecution case is that due to the grudge the accused had towards Raghavan, s/o Chathu who was the Security staff of City Plastic Company wherein the accused was working, as he had caught him red-handed, while stealing tender coconut from the compound of the company and reported the matter to CW14, the Company Manager, who questioned and warned him in the presence of the other labourers and made him to pay a fine of ₹500/-, causing humiliation to him, on 01.12.2013 at 23.45 hours, after trespassing into the security room of the building bearing No. XIV/69 of Thalassery Municipality committed the murder of Raghavan by repeatedly chopping his neck, while he was lying on the cot in the security room. After committing the murder the accused destroyed the evidence by cleaning the chopper and his hands and legs from the public tap near the bathroom of his 'tatti' (residence) and throwing the bloodstained bermuda and banyan into the Kandikkal thodu situated behind his residence and kept the chopper in the box in the cutting section wherein it was usually kept. Hence, the accused committed the offence above.

3. The final report was filed before the Judicial First Class Magistrate Court, Thalassery and the case was taken on file as CP 31/2018. The case was committed to the Hon'ble Sessions Court, Thalassery after completing all the legal formalities. In the Sessions Court, the case was numbered as this case and was made over to Addl. Sessions Court-II, Thalassery for trial.

4. On issuing summons, the accused person appeared. He was defended by a counsel of his own choice. Thereafter the case was transferred to this Court as per Order No.A3-17942/2023 dated 02.09.2023 of the Honourable Sessions Judge, Thalassery. Heard. Charge was framed under section u/ss. 449, 302 and 201 IPC. The charge was translated, read over and explained to the accused in Hindi, the language known to him. He pleaded not guilty.

5. Thereafter the accused absconded and NBW was issued against him. He was arrested and produced before the Court on 28.08.2025. Since then he has been in judicial custody.

6. Prosecution cited CWs 1 to 66 and out of them CWs 3, 1, 9, 12, 21, 24, 26, 48, 50, 51, 55, 61, 7, 60, 64, 62, 65 and 66 were examined as PWs1 to 18 and Exts.P1 to P24 were marked. MO1 to MO16 were also marked. CWs 5 and 43 no more. The remaining witnesses were given up by the Additional Public Prosecutor.

7. As there was no incriminating evidence against the accused, the questioning of the accused under section 313 of the Code of Criminal Procedure was dispensed with. Heard under Section 232 of the Code of Criminal Procedure.

8. Following points arise for determination: -

- (i) Whether the accused committed the murder of Raghavan, S/o. Chathu as alleged by the Prosecution?
- (ii) Whether the accused trespassed into the room of deceased Raghavan with the intention of committing his murder?
- (iii) Whether the accused caused disappearance of evidence with the intention of screening himself from legal punishment?
- (iv) What is the order or sentence to be passed?

9. **Point Nos.(i) to (iii):** - The first aspect to be considered is whether the death of Raghavan is a homicide. Ext.P1 is the inquest report and Ext.P12 is the postmortem certificate of Raghavan. PW14 is the Professor of Forensic Medicine and Police Surgeon at Pariyaram Medical College who conducted the postmortem examination of the body of Raghavan on 03.12.2012. Ext.P12 is the postmortem certificate marked through PW14. He noted the following antemortem injuries :

1. Gaping incised wound 14cm long and 9.5cm deep on the front of neck, the upper end being at the chin and the lower end hanging down as a flap of skin with subcutaneous tissue. A small segment of the jaw bone was cut away at the chin. Muscles, both jugular veins and carotid arteries were found severed. There were two cuts on the trachea; one was through the vocal cords and the other through the lower end of epiglottis. Test for venous air embolism was positive. Aspirated blood was seen in the air passages. Body of C3 vertebra was 'cut' deeply. Two superficial cuts were seen in C4 and C5 vertebrae respectively.

2. *Incised wound 7.5x0.6x1.5cm horizontally placed with slight obliquity, on the chin, 2cm below the lower lip. Jaw bone was neatly cut underneath.*

3. *Incised wound 4.5x1x1.5cm, 0.8cm below the left end of injury No.2. Bone was cut underneath. There was a linear, superficial cut, 6cm long, starting from the left end of the injury and directed towards the ear.*

4. *Two incised wounds 3x0.5cm each parallel to each other and 0.8cm apart, slightly to the left of midline in the skin flap hanging down in injury No.1. Another incised wound 1.5x0.5cm was seen on the right side of front of neck 3cm below injury No.1. Multiple linear cuts varying in length from 2cm to 7cm were seen at the lower part of the front of neck.*

5. *Superficial incised wound 1x0.5cm on the back of left palm.*

6. *Incised wound 4.5x1cm on the back of left forefinger.*

7. *Superficial incised wound 2cm long, oblique on the back of left forefinger, just below injury No.6.*

8. *Incised wound 2x0.5cm at the back of left palm in between the forefinger and middle finger.*

9. *Incised wound 1.5x0.3cm on the back of left ring finger, at its middle.*

10. *Abraded contusion 8x5cm on the top and tip of right shoulder. (Injuries 1- 3 had slightly contused margins).*

10. In Ext.P12, ten antemortem injuries have been noted on the body of the deceased. PW14, the doctor who conducted the autopsy opined that the deceased died of multiple cut injuries on the neck, caused by a relatively heavy, sharp cutting weapon. He deposed that injury No.1 was the fatal injury and it was sufficient to cause death in the ordinary course of nature. Injury numbers 5 to 9 were defence injuries. After sustaining the first injuries, he must have died within 2 to 3 minutes. Due to venous air embolism, a person would die within 2 to 10 minutes. So, it can be found that the death of Raghavan was a homicide. Moreover, there is no dispute as to this fact.

11. PW2 is the de facto complainant who lodged Ext. P2, the First Information Statement, in this case. He deposed that at the time of the incident he was working in G4U Company, while the deceased Raghavan was employed as a watchman in City Plastic Company. Both these companies were situated close to each other and were owned by the same management. PW2 further deposed that he was also working as a salesman in the company. He testified that Raghavan was found murdered on 02.12.2012. On 01.12.2012, at about 10 a.m., he left the company to collect cash and returned at about 8–8.30 p.m. When he was leaving for the company, he asked Raghavan to open the premises to unload the goods brought there. By the time he reached the company, the goods were being unloaded from the vehicle. After unloading, the gate was locked and he entrusted the key to Raghavan. At that time, he noticed another driver in the company handing over cash to Raghavan. Thereafter, he returned home. On the next morning, the owner of the company called him and informed that Raghavan was not well, and directed him to go to the company. In compliance with the owner's direction, he went there. On reaching, he called Raghavan over the phone, but there was no response. Consequently, another employee, Damodaran, scaled the compound wall and found Raghavan

lying dead in his room. Damodharan opened the gate, and he entered the premises, where he found Raghavan lying in a pool of blood on the cot in his room. He immediately informed the matter to the owner, who arrived there within five minutes. Thereafter, he proceeded to the Police Station and lodged Ext. P2, the First Information Statement. He also identified Ext. P3 as the seizure mahazar, as per which, the Police took into custody the attendance register of the staff of the company. He also testified that he did not know the accused who stood in the dock.

12. PW3 is another driver in the City Plastic Company. He deposed that on 02.12.2012, Raghavan was found murdered in the City Plastic Company. On the same day, police came to the company and prepared Exhibit P4 scene mahazar and that he had signed in it. He further deposed that he found the police inspecting the place and recovering a chopper from a suitcase near the security room. He also deposed that he had signed in Exhibit P5 seizure mahazar, as per which, the chopper was taken into custody. He identified the chopper as MO1. He further testified that after one year, Crime Branch Police conducted a search to recover that suitcase. But, the same was not received. He identified Ext.P6 as the search list prepared for the same. He also deposed that one year after the incident, Crime Branch Police came to the company with the accused and conducted a search to recover the dress worn by him at the time of the incident. But nothing could be recovered. He also deposed that he had signed in Exts. P7 and P8 observation mahazars. He identified the accused as the person who had worked in the City Plastic Company.

13. PW4 is an attestor to Exhibit P9, the Additional Mahazar prepared by the police. He was also cited and examined to depose regarding the presence of the tracker dog and the tracking made by it. However, he turned

hostile to the prosecution and deposed that he did not see the police arriving at the place of occurrence with a tracker dog.

14. PW7 is the brother of the owner of City Plastic Company. He deposed that, in the absence of his brother, he was conducting the company, and on the date of Raghavan's death, he was in Mangalore. He further testified that he had signed Exhibit P3, the seizure mahazar prepared by the police for taking into custody the attendance register of the staff in the company. He also deposed that the accused, who stood in the dock, was one of the persons who had worked in his company.

15. PW10 is the Dog Handler in the Kannur City Dog Squad. He deposed that on 02.12.2012, he went to the place of occurrence with Dog No. 224, namely Keemo, a tracker dog. The dog, after smelling from a drawer of the table, came out of the room and tracked up to Kandikal Junction, thereafter to Radhakrishna Workshop, and then further proceeded to an APE Service Centre before returning to Kandirickal Junction.

16. PW7 is the Sub Inspector of Police, Thalassery. He deposed that on 02.12.2012 he registered Exhibit P11 FIR on the basis of Exhibit P2 First Information Statement.

17. PW13 is the owner of the company in which the deceased Raghavan was working. He deposed that on 02.12.2012, Raghavan was found dead, and his brother informed him regarding the death of Raghavan. Immediately, he called another staff member, namely Abdul Rahman, and asked him to go to the company and ascertain what had happened. He further deposed that the police had come to the company and took into custody the weapon involved in the case.

18. PW16 is the Investigating Officer in the case. He deposed that on 02.12.2012, he took over the investigation and conducted the inquest, preparing Exhibit P1, the inquest report. As per the inquest report, he took into custody Exhibits MOs 2 to 15 respectively. He further deposed that, during investigation, he found a black suitcase among the scraps in the compound of City Plastic Company, and on opening the suitcase he discovered a chopper with stains resembling blood. He took the same into custody after preparing Exhibit P5 mahazar. He identified MO1 as the weapon that had been seized. He further deposed that he identified Exhibit P12, the forensic report. He also testified that he filed Exhibit P7 report incorporating the offence under Section 439 IPC.

19. PW17 is the Detective Inspector attached to the Kannur Crime Branch. He deposed that on 15.05.2014, he took over the investigation in the case and, on 05.09.2014, arrested the accused who was working in the company. He also took into custody the attendance register, other records, and Exhibit P19 data sheet. He further testified that he filed Exhibit P20 report incorporating the offence under Section 201 IPC as well.

20. PW18 is the Detective Officer of Crime Branch, Kannur CBCID, who completed the investigation and laid the final report in the case. He deposed that after getting the permission from court, the polygraph test of the accused was conducted at Regional Forensic Lab, Thrissur. He identified Exhibit P24 of the report obtained after conducting the polygraph test. On completing the evidence, he laid charge.

21. On going through the evidence adduced by the prosecution, it is seen that there is not even an iota of evidence to connect the accused with the crime. The only fact that has been proved by the prosecution is that the

accused had worked in the company where the deceased Raghavan was a security personnel. But this fact is not sufficient to find him guilty of the murder of Raghavan in any way. So, I find that the prosecution has miserably failed to prove that the accused trespassed into the room of Raghavan, committed his murder and caused disappearance of evidence with the intention of screening himself from legal punishment. Hence Point Nos. (i) to (iii) are found against the Prosecution.

22. **Point No. (iv):-** On the basis of the finding on Point Nos.(i) to (iii), it is found that the Prosecution has failed to prove that the accused person is guilty of the offences alleged against him and he is acquitted u/s.232 Cr.PC.

23. It is a case of murder. The dependents of the deceased are to be compensated and rehabilitated. There is no evidence to see whether the deceased Raghavan was survived by any dependents. Hence, the District Legal Services Authority (DLSA), Thalassery is ordered to conduct an enquiry to find out whether there is any dependent to the deceased Raghavan and if there is anyone, the District Legal Services Authority (DLSA), Thalassery, is recommended to provide compensation to such dependents, under the Victim Compensation Scheme, 2022. The office of this Court is directed to send a copy of the judgment to the DLSA, Thalassery.

In the result,

(i) The accused is found not guilty of the offence alleged against him and he is acquitted thereof u/s 232 Cr.PC. Release the accused from custody if his further detention is not necessary in any other case.

(ii) The District Legal Services Authority (DLSA), Thalassery

is ordered to conduct an enquiry to find out whether deceased Raghavan is survived by any dependant and if so, the District Legal Services Authority (DLSA), Thalassery, is recommended to provide compensation to such dependents, under the Victim Compensation Scheme, 2022. The office of this Court is directed to send a copy of the judgment to the DLSA, Thalassery.

(iii) MO1 chopper will be broken up and sold as per Rule 268 of Criminal Rules of Practice. Other items in Item No.222/2025 except Sl Nos.17 and 21 in RP No.975/2012 being valueless shall be destroyed. Sl. No.17 mobile phone and Sl. No.21 in RP No.975/2021 currency notes shall be confiscated.

(Dictated to the Confidential Assistant transcribed and typed by her corrected and pronounced by me in open Court on the 5th day of May 2026).

Sd/
ADDL. SESSIONS JUDGE-I

APPENDIX:-

WITNESSES FOR THE PROSECUTION:-

Rank	Name	Eye witness/ police witness/ expert witness/ Medical witness/other witness.
PW1	Shri. Ashokan M	- Other Witness
PW2	Shri. Abdulla K	- Other Witness
PW3	Shri. Gangadharan P	- Other Witness
PW4	Shri. Prakashan P	- Other Witness

PW5	Shri. Sajayan P	-	Other Witness
PW6	Shri T P Babu	-	Other Witness
PW7	Shri. Fasal D A	-	Other Witness
PW8	Shri. Valsalan P, Asst. Labour Officer, Talassery	-	Other Witness
PW9	Shri. Vijesh M, Village Officer, Thiruvangad	-	Other Witness
PW10	Shri. Baburajan P V, Dog Squad, Kannur City Police Station	-	Police Witness
PW11	Shri. Priyesh M M, Property Section Clerk, JFCM, Thalassery	-	Other Witness
PW12	Shri. Biju John Lukose, Sub Inspector, Thalassery PS	-	Police Witness
PW13	Shri. Muhammed Rafeeque T K	-	Other Witness
PW14	Dr.S Gopalakrishna Pillai, Professor Forensic Medicine and Police Surgeon, Pariyaram Medical College.	-	Medical Witness
PW15	Shri. Achuthan V, Detecting Inspector, Kozhikode Crime Branch.	-	Police Witness
PW16	Shri. Vinod M P, Inspector, Thalassery Police Station	-	Police Witness
PW17	Shri. Kunhimoinkuty, Detective Inspector, Kannur Crime Branch.	-	Police Witness
PW18	Shri. Sibi N O, CBCID, HHW-II, Kannur	-	Police Witness

EXHIBITS FOR THE PROSECUTION:-

Sl. No.	Date	Exhibit number	Description
1	02-12-2012	P1/PW1	Inquest Report
2	02-12-2012	P2/PW2	First Information Statememnt
3	13-10-2014	P3/PW2	Seizure Mahazar (Staff attendence register, Photos and identity cards of labours)
4	02-12-2012	P4/PW3	Scene Mahazar

5	14-01-2013	P5/PW3	Seizure Mahazar (Weapon)
6	28-10-2017	P6/PW3	Search list
7	12-09-2014	P7/PW3	Observation mahazar
8	12-09-2014	P8/PW3	Observation mahazar
9	02-12-2019	P9/PW4	Additional Mahazar
10	13-03-2015	P10/PW9	Site Plan
11	13-03-2015	P10(a)/PW9	Index of site plan
12	02-12-2012	P11/PW12	First Information Report
13	04-12-2012	P12/PW14	Postmortem report
14	02-12-2012	P13/PW16	Seizure Mahazar (Blood stain)
15	03-12-2012	P14/PW16	Additional Scene Mahazar
16	01-02-2013	P15/PW16	Forwarding note
17	18-03-2013	P16/PW16	Finger print report
18	08-02-2013	P17/PW16	Report regarding adding section 449 IPC
19	Date nil	P18/PW17	Staff Attendance register of City Plastics, Kandikkal for the year 2012-13
20	Date nil	P19/PW17	Photo and copy of identity cards of labours.
21	20-07-2015	P20/PW17	Report regarding deleting section 449 IPC and adding 201 IPC.
22	22-08-2015	P21/PW17	Report regarding adding section 449 IPC.
23	24-12-2012	P22/PW17	Ownership Certificate of building No.69/14 issued from Thalassery Municipality.
24	18-07-2016	P23/PW18	Order of JFCM, Thalassery in CMP 817/2026 in Crime No. 1695/2012 of Thalassery Police Staion to grant permission to conduct poly graph test of accused.
25	25-01-2017	P24/PW18	Polygraph test examination report.

WITNESS FOR THE DEFENCE:- None

EXHIBITS FOR THE DEFENCE:- Nil

MATERIAL OBJECTS:-

1.	MO1/PW3	:	കൊടുവാൾ
2.	MO2/PW16	:	Watch (1)
3.	MO3 Series/PW16	:	Shirt (3 Nos)
4.	MO4/PW16	:	കാവി മുണ്ട്
5.	MO5 /PW16	:	തോർത്ത്
6.	MO6/PW16	:	Bed sheet
7.	MO7/PW16	:	Diary
8.	MO8/PW16	:	Foot wear (1 pair)
9.	MO9/PW16	:	Sandal colour plastic bag
10.	MO10/PW16	:	Plastic cover
11	MO11/PW16		Noika Mobile Phone Model No.1280
12	MO12/PW16		Torch
13	MO13/PW16		പ്ലാസ്റ്റിക് പായ
14	MO14/PW16		Bedsheet
15	MO15/PW16		Pillow
16	MO16/PW16		Electric Tester

Sd/
ADDITIONAL SESSIONS JUDGE-I

**IN THE COURT OF SESSION,
THALASSERY**

SESSIONS CASE No.856/2018

JUDGMENT

DATED: 05.05.2026

1. The Registrar, (Subordinate Judiciary), High Court of Kerala, Kochi-682031.
2. The District Collector, Kannur.
3. The Supdt. of Police, Kannur.
4. The Chemical Examiner, Kannur
5. The Supdt., Central Prison, Kannur.
- 6 The Public Prosecutor, Thalassery.
- 7 The District Legal Service Authority (DLSA), Kannur at Thalassery