

IN THE COURT OF SESSIONS KOTTAYAM DIVISION

Present:Smt. Lilly K,Addl.Sessions Judge -I,

Tuesday, the 3rd day of February, 2026
14th day of Magha,1947

Crl M.P No.1/2026 in S C No.442/2019

Petitioner :

Amal @ Amal Jawan,
Kutivelithara House,
Ithippuzha Bhagom,
Udayanapuram Kara,
Vadakkemury Village.

By Adv. Krishnakumar

Respondent:- :

State of Kerala represented by
Public Prosecutor Kottayam.

By Addl Public Prosecutor
Smt.Meera. S.S

This petition is filed to issue stop memo to the witnesses and adjourn the case for a period of two months.

This petition having been finally heard on 03.02.2026 and the Court on the same day passed the following :

ORDER

Application for 2nd accused stopping trial, for two months.

Counsel who filed application, filed a joint vakalath on 02.02.2026. Adv. Arun George was holding vakalath for accused no.2 from 22.11.2019 onwards. Charge was framed on 13.11.2023 and case was scheduled for trial on 11.11.2025. There are 107

witnesses and trial had to commence on 02.02.2026 and had to be completed on 23.02.2026.

The application was filed only on 02.02.2026. CW1 was present on 02.02.26 and CW2 is also present today.

It was alleged in the application that Adv. Krishnakumar who filed vakalath on 02.02.2026 fell down and sustained fracture to right hand on 01.01.2026.

The application was adjourned to 03.02.2026 for producing medical certificate if any. But the 2nd accused did not appear and counsel for 2nd accused appeared through Video conferencing and sought time up to 05.02.2026 to produce medical certificate of the advocate who filed joint vakalath on 01.01.2026.

The charge was framed on 13.11.2023 and case was scheduled for trial on 13.01.2026, after ascertaining the convenience of all counsel. Counsel for A2 filed the application by submitting that Joint Vakalath of Adv. Krishnakumar was omitted to be filed before 02.02.2026 the date of trial.

It is found that there is no bonafides in the application. If the counsel had fracture on 01.01.2026, he could have obtained Medical certificate in January itself.

Counsel is seeking adjournment up to 05.02.2026 to obtain medical Certificate.

It is found that the counsel is seeking adjournment to delay the trial of a five year old murder case, scheduled for trial which involve 107 witnesses. There is no ground to grant further time to the counsel for 2nd accused to produce medical certificate.

I find no grounds to stop the trial as all other counsel are ready to conduct trial. Hence the application has been filed as a delaying tactics and hence the same is liable to be dismissed.

In the result the application is dismissed.

Pronounced on this the 3rd day of February, 2026.

Sd/-
Lilly.K
Addl. Sessions Judge-I

APPENDIX NIL

Id/-
Addl. Sessions Judge-I

//True Copy//

Copied by:
Compared by :

Sd/-
Lilly.K
Addl. Sessions Judge-I
Kottayam