

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
CHANGANACHERRY**

Present:- Sri.Anil Kumar. T.S, Judicial I Class Magistrate.

Dated this the, 16th day of March, 2026
25th day of Phalguna, 1947

CC No.1388/2021

- Complainant : State represented by the Sub Inspector of Police, Changanacherry Police Station in Crime No.1982/2021.
(By APP, Changanacherry)
- Accused : Vineesh T K, Aged 30/21, S/o Kunjumon, Thaipparambil (H), Morkkulangara Bhagom, Ruby Nagar P.O, Vazhappally East Village.
(By Adv.Sachin B Nair)
- Offence : U/s.15(4) r/w 19 of KAA(P) Act.
- Plea : Not guilty
- Finding : Guilty
- Sentence/Order : Accused is convicted under section 248(2) of the Code of Criminal Procedure, 1973 for the offences punishable under section 15(4) r/w 19 of KAA(P) Act and he shall sentenced to undergo simple imprisonment for a period of one month and to pay a fine of 1,000/-. In default of payment of fine, the accused shall undergo simple imprisonment for a period of 15 days. He was under judicial custody on 06.12.2021 and 07.12.2021. Set off allowed.

Date of:-

Offence	Report of complaint	Apprehension/ Appearance of accused	Release on bail	Commencement of trial	Close of trial	Sentence of order	Explanation for delay and remarks
01.09.21	02.09.21	06.12.21	08.12.21	06.09.24	11.03.26	16.03.26	----

Description of Accused

Name of accused	Age	Father's Name	Caste or Religion	Callin g	Residence	Taluk
Vineesh T K	30/21	Kunjumon	Hindu	---	Thaipparambil	Changanacherry

This case having been finally heard on 11.03.2026 and posted for judgment to 16.03.2026 and the court on the same day delivered the following:-

J U D G M E N T

The final report in this case has been filed by the Sub Inspector of Police, Changanacherry Police Station against the accused, in crime No.1982/2021 alleging the offences punishable u/s.15(4) r/w 19 of KAA(P) Act.

2) Prosecution case in brief is as follows:- As per order number KAA(P) A 3776/2021/ER of DIG Ernakulam Range dated 28.04.2021 u/s.15 (1) (b) of KAA(P) A, the accused was directed to appear at the Changanacherry Police Station to report his movements for a period of one year. But violating the said order, the accused has not appeared at the Changanacherry Police station w.e.f. 01.09.2021 without citing any valid reasons and thereby committed the offence punishable under section 15(4) r/w 19 of KAA(P) Act.

3) The accused was arrested and produced before the Court and remanded to judicial custody and later released on bail. The investigation was completed and the final report was filed against the accused. Now the accused was under judicial custody in connection with another case. After hearing both sides and after considering the prosecution records, charges under above offences were framed and

read over and explained to the accused to which he pleaded not guilty and claimed to tried.

4) In evidence, PW1 to PW3 were examined and Exts.P1 to P6 were marked from the side of the prosecution. On closing the prosecution evidence, the accused was examined under section 313(1) (b) of the Code of Criminal Procedure, 1973. The accused denied all the incriminating circumstances appearing in evidence.

5) Heard both sides.

6) The following points arise for determination:-

- i. Whether the accused violated the order number KAA(P)A 3776/2021/ER of DIG Ernakulam Range dated 28.04.2021 u/s.15 (1) (b) of KAA(P) A to appear at Changanacherry Police Station and thereby committed the offence punishable under section 15(4) r/w 19 of KAA(P) Act?
- ii. Sentence or order, if any ?

7) Heard both sides.

8) **Point no.1:-** To prove the case, the prosecution examined altogether three witnesses. PW2 Sub Inspector deposed that the accused violated the Ext.P2 order of the Ernakulam Range DIG under the KAA(P) A Act. Hence, PW2 registered Ext.P1 FIR. PW3, Sub Inspector, Changanacherry police took over the investigation. On 06.12.2021, the accused appeared at the Changanacherry Police with order of the Honourable High Court of Kerala in connection with another crime and then PW3 arrested him in this case. Ext.P4 is the address identification report of the accused. He prepared mahazer of KAA(P)A Register and produced it before the Court as per

Ext.P5 Form 15. KAA(P)A register is marked as Ext P6. PW1, writer at the Changanacherry Police Station deposed that he was the custodian of the PW6 KAA(P)A Register and he identified the same in the Court.

9) Based on the above evidences, learned Assistant Public Prosecutor argued that the prosecution proved the case beyond a reasonable doubt and the accused deserves acquittal. Learned defence counsel argued that the Police official prevented the accused from signing the KAA(P)A Register and thereafter registered this false case against him. The learned counsel argued that the accused is totally innocent and he deserves acquittal.

10) It is not in dispute that as per the Ext.P2 order dated 28.04.2021, the accused was directed to appear at the Changanacherry Police Station on every Wednesday between 10.00 a.m and 12.00 noon for a period of one year. The accused has not challenged Ext.P2 before any authority. Ext.P2 revealed that the accused is a history sheeter. As evidenced from the Ext.P6 KAA(P)A Register, the accused has appeared at the Changanacherry police station from 12.05.2021 till 26.08.2021. Thereafter, he absconded after committing another offence and appeared at Changanacherry Police Station only on 06.12.2021 as per the order of the Honourable High Court in another crime. The witnesses are cross-examined, but the learned defence counsel has not pointed out any defects in their evidence. The witnesses are police officials, and their evidence is convincing, which is duly supported by documentary evidence. The accused has not offered any explanation for his non-appearance before the police. Learned defence counsel argued that the police have threatened the accused and prevented him from appearing before the

court. But that is only a self-serving statement given the fact that he got involved in another crime and approached the Honourable High Court for anticipatory bail. Thus the prosecution proved the case beyond doubt and the accused found guilty of the offence charged against him.

11) **Point no.2:-** In view of the finding on point no.1, accused is found guilty of the offences punishable u/s.15(4) r/w 19 of KAA(P) Act.

In the result, accused is convicted under section 248(2) of the Code of Criminal Procedure, 1973 for the offences punishable under section 15(4) r/w 19 of KAA(P) Act and he shall be sentenced to undergo simple imprisonment for a period of one month and to pay a fine of 1,000/-. In default of payment of fine, the accused shall undergo simple imprisonment for a period of 15 days. He was in judicial custody on 06.12.2021 and 07.12.2021. Set off allowed.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 16th day of March, 2026)

Judicial First Class Magistrate – I
Changanacherry

APPENDIX

Witnesses examined for the Prosecution:-

PW1/CW1	- Sri.Sajeev Kumar	29.11.2024
PW2/CW2	- Sri.Jayakrishnan M	29.11.2024
PW3/CW3	- Smt.Mary Suprabha	27.01.2026

Exhibits marked for the Prosecution:-

P1	- FIR marked through PW2	29.11.2024
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P2	- Order marked through PW3	27.01.2026
P3 series	- Arrest records marked through PW3	27.01.2026
P4	- Address report marked through PW3	27.01.2026
P5	- Form 15 marked through PW3	27.01.2026
P6	- KAA(P)A register marked through PW3	04.02.2026

Witness examined for the defence :-

Nil

Exhibits marked for the defence :-

Nil

Material Objects Marked:-

Nil

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Changanacherry