

IN THE COURT OF THE I ADDITIONAL SESSIONS JUDGE, THRISSUR.

Present:

Sri. K. Kamanees, Addl. Sessions Judge- I.

Monday the 18th day of May, 2026/28th Vaishakha, 1948.

Criminal M.P 02/2026 in SC 309/2023

(Crime.No. 567/2022 of Cheruthuruthy Police Station)

Petitioner/Accused : Gireesh @ Gireesh Kumar @ Chinkuttan @ Chinkutty, aged 38 years, S/o. Balakrishnan, Puthenpurakkal House, Paimkulam Village, Vazhalipaddam Desom, Thrissur District.

By Adv. Smt. Pameela Remmy Jose.

Respondent/Complainant : State of Kerala represented by Inspector of Police, Cheruthuruthy Police Station.

By Public Prosecutor Sri.K. P. Ajayakumar.

Offences : U/Ss. 302 IPC.

This is a petition put in by the Additional Legal Aid defence counsel under section 329 (IA) of Cr.P.C.

This petition is coming on this day for hearing and on the same day the court passed the following:

ORDER

This is a petition put in by the Additional Legal Aid defence counsel under section 329 (IA) of Cr.P.C.

2. The petition states that the accused was admitted in the Mental Health Centre, Thrissur. He had not been produced before the court on several posting dates. The counsel for the accused submitted that the accused person was not in a position to understand the contents to make a valid defence. The petitioner prays before the court to send the accused person to the District Medical Medical board for further examination and to find out the capacity for a standard trial.

3. The prayer is objected to by the learned Prosecutor. Already there has been a report received from the Government Mental Health Center, Thrissur.

In that, it is stated as follows.

“Patient diagnosed with psychotic disorder, currently on antipsychotic medications. At present patient is free from psychotic symptoms with stable mood. The patient identifies the charges against him and have a clear understanding of court procedures. Patient needs continuous treatment and regular follow up. Patient is fit for discharge and fit to stand trial as on date. Patient may be taken back to jail.”

4. By now there has been an examination of the accused and the same has been issued after due examination and analysis of the mental condition of the accused. There are no reasons brought out to be unsatisfied on that mental condition report. In such circumstances, this court does not feel that a re assessment of the mental capacity of the accused is necessitated. There are no reasons before the court not to act upon the mental condition report already brought. Therefore the petition stands dismissed.

In the result, the petition is dismissed.

(Dictated partially to the Confidential Assistant, and partially to the appropriate dictation software, transcribed by her/it, corrected by me and pronounced in open court on this the 18th day of May, 2026).

Sd/-

K. KAMANEES

I ADDL. SESSIONS JUDGE, THRISSUR.

Copied by: Lekshmi

Compared by : Reshma

/True copy/

By Order

Sheristadar

Copy to : 1. The Station House Officer
Cheruthuruthy Police Station.

Copy of Order in
Crl MP 02/2026 in
SC 309/2023
18.05.2026.