

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THRISSUR

Present:

Sri. Sasi Kumar. P.S. Principal Sessions Judge
Saturday, 28th day of March, 2026/ 7th Chaitharam 1948.

Crl.MP(Transfer)No. 3759/2025

Petitioners:-

- 1 Jyothibas, Aged 53 years, S/o Karthikeyan, Naduvilpurakkal House, Poyya Desom, Poyya Village, Thrissur.
- 2 Sudhi, Aged 58 years, S/o Subramanian, Ittadhiparambil House, Poyya Desom, Poyya Village, Thrissur.

By Adv. Roshan Babu P.U.

Respondents:-

- 1 Subash, Aged 48 years, S/o Chathappan, Periyil House, Poyya, Thrissur.
- 2 Santhosh, Aged 50 years, S/o Chathappan, Periyil House, Poyya, Thrissur.
- 3 Suresh, Aged 54 years, S/o Chathappan, Periyil House, Poyya, Thrissur.
- 4 Thomas, Aged 38 years, S/o Joseph, Kuruppassery House, Poyya, Thrissur.
- 5 State of Kerala., rep. by Public Prosecutor, Thrissur.

This petition is coming on this day for hearing, the Court passed the following:-

ORDER

This petition is filed under section 448 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to transfer CC 690/2021 pending before the Judicial First Class Magistrate Court, Chalakudy to the Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases,

Thrissur.

2. The petitioners are accused in S.C 583/2022 pending before the Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur for the offences punishable under sections 447, 341, 323, 325, 294(b) r/w. 34 of the Indian Penal Code, 1860 and CC 690/2021 is pending before the judicial First Class Magistrate Court, Chalakudy for the offences punishable under sections 341, 323, 324 r/w.34 of the Indian Penal Code, 1860. Both are case and counter case. Therefore, both the cases are to be tried by the same court. The petitioner submitted that the case and counter case in different courts which may cause substantial inconvenience and hardship. Hence, it is necessary that both the cases have to be tried in one court in the interest of justice.

3. Objection filed by the respondents and submitted that the offences alleged in CC No.690/2021 pending before the judicial First Class Magistrate Court, Chalakudy are minor and the nature of allegations are different. Hence there is no need to transfer CC 690/2021 to the Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur.

4. Learned Public Prosecutor did not oppose the application.

5. Heard both sides.

6. Adv.Roshan Babu P.U, the learned counsel for the petitioner submitted that both cases are case and its counter which are to be tried and disposed of simultaneously by the same court and it would be inconvenient for them to attend proceedings in two different courts. There is no objection from the part of the Public Prosecutor to transfer CC 690/2021 pending before the Judicial First Class Magistrate Court, Chalakudy to the Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur.

In the result, the petition is allowed. CC 690/2021 on the files of the Judicial First Class Magistrate Court, Chalakudy is transferred to the Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur for trial and disposal along with S.C. 583/2022. Office of the Judicial First Class Magistrate Court, Chalakudy will forward the records forthwith.

(Dictated to the Confidential Assistant, transcribed and typed by him and corrected and pronounced by me in open court on this the 28th day of March, 2026.)

Sd/-

**SASI KUMAR. P.S.,
PRINCIPAL SESSIONS JUDGE.**

By Order,

/true copy/

Copy to: 1. Judicial First Class Magistrate Court, Chalakudy
2. Special Court for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur

Sheristadar