IN THE COURT OF SPECIAL ADDITIONAL CHIEF JUDICIAL MAGISTRATE, THRISSUR.

Present: **Smt. Alpha Mamai K., Additional Chief Judicial Magistrate.**

Dated this, the **25th** day of **March, 2026.**

CMP : 5643/2024 in CC 30/2015

(Cr. No. 377/2011 of Mananthavady Police Station)

(CBCID Cr. 501/CR/EOW III/KKD/11)

Petitioner/Accused no.22.	:	Rejesh B. Nair, S/o. Balakrishnan, Aswathy House, Kayakkunnu, Punchavayal, Panamaram. (By Advocate. Sri. Pramod K.)
Respondent/ Complainant	:	State represented by the Deputy Superintendent of Police, CBCID EOW III, Kannur Sub Unit. (Crime no.377/2011 of Mananthavady Police Station). (CBCID Cr. 501/CR/EOW III/KKD/11). (By Sri. Ananthakrishnan P.A., Assistant Public Prosecutor, Court of Additional Chief Judicial Magistrate, Thrissur.)
Petition	:	U/s.239 Cr.P.C.
Order	:	Dismissed.

O R D E R

1. This is a petition filed u/s. 239 Cr.P.C., by the accused no.22, in CC 30/2015 on the file of this court, seeking discharge, in the case.

2. Petition averments are, as follows:-

Petitioner is the accused no.22, in the above case. The offences alleged are under sections 120B, 420 r/w 34 of the Indian Penal Code and sections 4, 5, 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. The petitioner/accused has nothing to do with the deposit, made by the defacto complainant and deposits taken by the company and the other accused. The petitioner was not even arrayed as an accused, in the First Information Report. It is clear from the charge sheet that, no deposit received by the accused/petitioner directly or indirectly. It is pertinent to note that, the defacto complainant paid the amount to the company directly and received the products from the company. The prosecution has not produced any document to show that, the petitioner had collected or utilised the deposit, paid by the defacto complainant to the company. It is also relevant to note that, nowhere in the First Information Statement/First Information Report, charge sheet, it is mentioned that, the company worked under a binary system. There is no evidence to show the involvement of the petitioner, in this crime. The petitioner is unnecessarily indulged in this crime. The petitioner is not even having any acquaintance with the defacto complainant, so far. The prosecution records does not reveal the specific role played by the petitioner, in the above case. The Honourable Supreme Court of India in Sharif Ahmed and Another v. State of Uttar Pradesh and Another, reported in 2024 INSC 363 has held that, the role played by the accused in crime should be separately and clearly mentioned in the charge regarding each of the accused. It is pertinent to note that, nowhere in the First Information Statement/First Information Report and charge sheet, there is not even a single whisper regarding the involvement of the petitioner. No document produced by the defacto complainant to connect the accused/petitioner with the offences alleged. The petitioner not instigated, nor canvassed, nor collected any money from the defacto complainant. The petitioner is neither a director of the companies involved in this case, nor involved in any promotional activities of the companies. There is no single document produced in the prosecution records, to show the involvement of the petitioner, in the business of the company. The Honourable Supreme Court of India, in Vishnu Kumar Shukla v. State of Uttar Pradesh, reported in 2023 KHC 1006 has held that, “an application of judicial mind is necessary to determine whether a case has been made out by the prosecution for proceeding with trial and it would not be necessary to dwell into the pros and cons of the matter by examining the defence of the accused, when an application for discharge is filed.” The Honourable Supreme Court of India, in the above said case, further observed that, “It cannot be expected even at the initial stage to accept all that the prosecution states as gospel truth even if it is opposed to common sense or broad probabilities of the case- If a view gives rise to suspicion, as opposed to grave suspicion, Court concerned is empowered to discharge the accused.” It is settled principle of law that, no one should be punished for the offence which is not committed by him. Hence, the protection provided under sections 227 and 239 Cr.P.C., are essential provisions of law, for safeguarding a person from false allegations. The purpose of sections 227 and 239 Cr.P.C., is to ensure that, the court should be satisfied that, the accusation is not frivolous and there is some material for proceeding against the accused. The Honourable High Court of Kerala in Rajesh Kumar J., v. Central Bureau of Investigation, Ekm and Another, reported in 2021 KHC 692 has held that, “At the stage of considering an application for discharge, Court must proceed on the assumption that material which has been brought on record by prosecution is true and evaluate material in order to determine whether the facts emerging from the material, taken on their face value, disclose the existence of the ingredients necessary to constitute the offence”. The prosecution records does not reveal the involvement of the petitioner, in the offences alleged. Hence, seeks to discharge the petitioner, in the above case.

3. Objection was filed by the learned Assistant Public Prosecutor, as follows:-

The averments in the petition, are factually incorrect and legally unsustainable. The petition filed by the accused, is devoid of merit and hence liable to be dismissed. There are sufficient ingredients to constitute the offences punishable under sections 120B, 406, 420 r/w 34 of the Indian Penal Code and sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, against the accused/petitioner. The accused/petitioner is a promoter of Nano Group of Companies. Ingredients of the offences under section 120B, 420 and 406 r/w 34 of the Indian Penal Code are well surfaced in this case. Hundreds of customers complained that they were cheated. Crores of rupees were collected by the accused by operating the scheme. Moreover, low quality products were sold by the company by making false representation. The accused had the intention to cheat from the very inception, and inducement from the side of the company and the accused persons, and delivery of property upon such inducement, are well established from the statements and documents produced by the prosecution. There is also entrustment of money to the company. The common intention of the accused at the time of inducement primafacie establishes the offence of cheating under sections 406 and 420 r/w 34 of the Indian Penal Code. The ingredients of Section 34 of the Indian Penal Code are attracted in the context of money circulation scheme; common intention refers to the shared objective among promoters and participants to engage in activities that leads to financial gain through deceitful means, which includes inducing new members to join under false pretenses sharing the ill-gotten gains derived from the contributions of new members. The malafide deed of the accused such as, printing and publishing for the purpose of sale or distribution, documents for the purpose of inviting and inducing persons to enroll as a member or participate in money circulation scheme is very much clear from the evidence collected. In Achamma Chacko v. Government of Kerala and Others reported in 2007 (2) KLT SN 68, it was held that, the mere conduct of the parties is sufficient to presume the offence under the Prize Chits and Money Circulation Schemes (Banning) Act. In Gold Quest International Pvt. Ltd. and

Another v. State of Tamilnadu 2003 O supreme (mad)627, it was held that, the scheme must involve the enrollment of members, where the financial benefits depend on the number of new members recruited. And the Honourable Court emphasized that, the scheme should be evaluated as a whole considering both promoters and members perspectives. The Supreme Court in State of West Bengal and Others v. Swapankumar Guha, AIR 1982 SC 949, established that two conditions must be satisfied for liability under the Prize Chits and Money Circulation Banning Scheme Act, 1) The scheme must be for making quick or easy money, and 2). The opportunity for such earnings must depend on the enrolement of member. From the documents seized like bank account statements, brochures, etc., it is clear that, the accused were doing the business of money chain and the accused were committing cheating. In 2024 (4) Crimes 276 (J&K), the Honourable High Court of Jammu & Kashmir held that, at the time of framing charge or discharge of accused, there has to be proper application of mind by the magistrate. Test regarding sufficiency of proof, which court is required to apply at the final disposal of the case, are not to be applied at the stage of framing charge. In 2025 (1) Crimes 329 (SC), the Honourable Supreme Court of India held that, at the time of framing of charge, even a very strong suspicion founded upon materials and presumptive opinion would enable court to frame charge against the accused. In 2025 (1) Crimes 242 (SC) the Honourable Supreme Court of India held that, by its very nature, discharge is at a higher pedestal than acquittal. Moreover, at the time of framing of charge, the probative value of the materials on record, cannot be gone into. Hence, seeks to accept the objection and dismiss the discharge petition, filed by the accused/petitioner.

4. Heard both sides.

5. CC 30/2015 on the file of this court, is a case based on the final report filed by the Deputy Superintendent of Police, CBCID EOW III, Kannur Sub Unit, against accused 25 in numbers, alleging offences punishable, under sections 120B,

420 r/w 34 of the Indian Penal Code and sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

6. After investigation, the final report was filed before the court of the Honourable Chief Judicial Magistrate, Kalpetta, and was taken on file as CC 655/2015, on the file of that court. In the year 2023, the case was transferred to this court, Court of Additional Chief Judicial Magistrate, Thrissur. On receipt of case records in this court, the case was taken on file as, CC 30/2015 on the file of this court.

7. Case of the prosecution, is as follows:-

Accused with intend to commit cheating, by conducting money circulation business, banned as per section 3 of The Prize Chits and Money Circulation Schemes (Banning) Act, 1978, in furtherance of their common intention, and by committing criminal conspiracy, with intend to cheat public, and to obtain wrongful gain, accused nos.4 and 8 as the Directors, formed accused no.1 company named Nano Excel Enterprises Private Limited on 12/07/2007, and thereafter, accused nos. 4, 5 and 8 as Directors, formed accused no.2 company named Nano Excel Corporation Limited on 01/01/2010, and in addition to the above companies, formed companies named Nano Power Corporation, Nikhil Nano Ceuticals, and Nanotel Hotels & Resorts, and thereafter, accused nos. 4 to 11 promoted the illegal money circulation business through newspapers, company brochures and booklets, and accused no.s 5, 12 to 25 led the promotion classes, and also by making false promise of returning ten times more amount within a short span of time and income for a period of 50 years, fraudulently and dishonestly induced CW1 M. Karunakaran to deliver Rs. 25,000/- on 22/09/2010, to the account no. 31093048591 of Nano Excel Corporation, though SBI, Mananthavady Branch, and thereby altogether obtained an amount of about 300 crores of rupees from the general public, including Rs. 25,000/- from CW1, and later on 01/07/2010, accused no.4 signed in a Memorandum Of Agreement (MOA) with Arunachal Pradesh Government for starting a Hydro Electric Project in the name of company named Nano Excel Power Corporation Limited, which was not in existence at that time, and thereafter, did not took any further action, neither gave profits as promised, nor returned the amount obtained and thereby committed cheating on general public including CW1, and conducted illegal money circulation business, and thereby committed offences punishable under sections 120B, 420 r/w 34 of the Indian Penal Code and section 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

8. The prosecution in this case was initiated by CW1/defacto complainant M. Karunakaran, by preferring an First Information Statement, to the Superintendent of Police, Wayanad, Kalpetta on 06/07/2011. The said First Information Statement was forwarded to the Station House Officer, Mananthavady Police station, and accordingly, First Information Report in this case was registered on 06/07/2011.

9. After investigation, the Investigating Officer, Deputy Superintendent of Police, CBCID EOW III, Kannur Sub Unit filed final report, against accused 25 in numbers, accused no.1 Nano Excel Enterprises Private Limited represented by Harish Babu Madineni, accused no. 2 Nano Excel Corporation Limited, represented by Harish Babu Madineni, accused no. 3 Nano Power Corporation Limited, represented by Harish Babu Madineni, accused no.4 Harish Babu Madineni, accused no.5 Patrick Thomas, accused no.6 Sundara Raja Prasanth, accused no.7 Kumari Prasanth, accused no.8 S.B. Chinnarao, accused no.9. Radha Raja, accused no. 10 K. Meera Harish, accused no. 11 P.P. Ranga Reddy, accused no.12 Muhammed Asharaf, accused no.13 Swaminathan S., accused no.14 Sajeev Karun @ Sajeev Karunan, accused no.15 Pramod Kumar, accused no.16 Sasindran V.R., accused no.17 Johnson K. Pulikkal, accused no.18 Ramesan P., accused no.19 C. Ravikrishnan, accused no. 20 Nissar Ahammed, accused no. 21 Jijesh B. Nair, accused no.22 Rejesh B. Nair, accused

no.23 Sreejesh B. Nair, accused no.24, accused no. 25 Ranjith K.R. and accused no. 26 Varghese M.M. @ Shaji, alleging offences punishable under sections 120B, 420 r/w 34 of the Indian Penal Code and sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. In the final report, there are, 51 witnesses cited by the Investigating Officer, and CW1 to CW14 are the persons, who are alleged to be cheated by the accused.

10. CW1 to CW14 are the witnesses who are stated to have deposited money in the accused companies. The statements under section 161 Cr.P.C. of CW1 to CW14, and the statements under section 161 Cr.P.C. of CW20 to CW26, who are stated to be the employees of the accused companies at Thrissur and the statement under section 161 Cr.P.C. of CW19 Amandeep Singh, who is stated to have created the website for the accused companies would clearly reveal the illegal money circulation business conducted by the accused companies and the cheating committed by the accused in the guise of illegal money circulation business. The statements of witnesses under section 161 Cr.P.C. and the documents, produced along with the final report would clearly go to show that, the accused and the accused companies deviated from the object and purpose stated in the Memorandum Of Association and Articles of Association of the accused companies and engaged in illegal money circulation scheme and committed cheating on several persons and obtained crores of rupees by engaging in illegal money circulation business in the name of accused companies and also committed cheating by giving false promises. Various documents including the bank account statements of the accused companies seized and produced along with the final report, to prove the offences alleged against the accused.

11. The documents produced and the statements under section 161 Cr.P.C. of CW15 Johnson P.A., who is stated to be the General Manager at Woodland Hotel, Kalpetta, CW16 Biju Thomas, who is stated to be the General Manager at Haritha Giri Hotel, Kalpetta, CW18 E.C. Muhammed @ Bappu, who is stated to be the Owner

of Misba Complex, Mananthavady where Moonwadiya Hotel is situated, and CW17 Fino, who is stated to be the employee at Brahmagiri Hotel, Mananthavady, would go to show that, the accused companies conducted promotional classes and meetings in those places, for promoting the illegal money circulation business of the accused companies.

12. CW19 Amandeep Singh, who is stated to have developed the website for the accused companies also, in his statement under section 161 Cr.P.C., has stated in detail about the illegal money circulation business conducted by the accused companies. He has stated that, "I am working as director in Roots Infocomm Ltd., a company registered with Registrar of Companies, Jalandhar, Punjab in the year 2003. The company is in the business of software development, web hosting and SMS services. I have completed Diploma in Computer Engineering from Thapar University, Punjab in 1999. In March 2008 Harish Babu Maddineni contacted me to develop a website for his business on the name of Nano Excel Enterprises Pvt. Ltd. for selling various products through network marketing system, which was later on also used for Nano Excel Corporation Ltd. As per the requirements of Harish Babu Maddineni, MD Nano Excel, for his business I have developed the website and hosted the same in data center located on US in April 2008. We have provided the services of software development, web hosting and SMS services to his company till June 2011. For the above provided services, there was no formal written agreement between us. The domain name registered for the website is www.Nanoexcel.net by me on the behalf of Nano Excel company with registrar www.onlinenic.com, this Nano Excel website was hosted on a dedicated server with IP address 75.126.101.3 with username 'administrator' and password 'xgbhir90n' and database IP address is 75.126.101.3 with username 'sa and password 'NANOwsp00998'. The website started functioning in April 2008. It consists four sections, (1) admin section (2) branch section (3) member section (4) public section. For login in admin section separate username 'adminindia' and password 'drharish27' is there. Admin section is operated by the Nano Excel

company people and having the facility to manage packages, branches, users, website content and for pin issuance Branch section is operated by Nano Excel branch people and having the facility for pin issuance. Member section is operated by the Nano Excel registered members and having the facility of to view binary tree, downline list, weekly income, member's profile, royalty club and change password Public section is being used by Nano Excel members and other non registered persons and general public to view the company profile, business activities, business plan, bank accounts for money deposit, contact information, products and branch information. When Harish Babu Maddineni contacted for the above website I was told that he is in the business of selling products with network marketing system The method of joining in the Nano Excel is as follows: When a new member deposits money in company's bank account or with any branch, the company Issues a unique PIN number in his sponsor's member panel, By using that PIN, a member can fill up registration form and select the desired package. After that unique ID number and password is allotted to that member by the system. With the help of this ID number and password, that member can login into his personalized member area to view his downline business later on. In the member area there is no facility to view upline information. Every week commission is generated by the system on date specified by the company people and commission list is downloaded from the website by company people for distribution of commission. The business plan is as follows: There are four types of income (1) Direct Referral Bonus: is given to direct referral sponsor of a new sales. (2) Binary Referral Bonus: is given on the basis of business volume generated by the member on his left and right downline team. Ceiling limit of 1,30,000 is applicable on this binary referral bonus per week. (3) Royalty Bonus is given to the leaders on qualification of the status as star, ruby, pearl, diamond etc. (4) Royalty Club Bonus. The member who purchased the royalty club bonus package is allotted a different ID number in this club. This is a universal club having 4 level board system which splits on completion of all the 15 positions and members of that specific board will get the

Royalty Club Bonus and they are further promoted to the next level in the board. In this way he can get the benefit 10 times as per the sales of the company. As per the record of website database, the company has made a sales turnover of Rs. 3,58,60,51,841 (three hundred fifty eight crore sixty lakh fifty one thousand eight hundred forty one) by selling 414274 ID units to 206194 different persons across India, UAE and Philippines. The total commission generated by the system is 3,02,17,32,403 (Three hundred two crore, seventeen lakh, thirty two thousand and four hundred three). The different members Joined the Nano Excel are 1,99,848 in India, 4,087 in UAE, 2,259 in Philippines and total 2,06,194 persons have joined from all these three countries. The members Joined from specific states in India are: 257 from Andaman & Nicobar Islands, 1968 from Arunachal Pradesh, 181 from Assam, 66 from Bihar, 4 from Chandigarh, 231 from Chhattisgarh, 5 from Dadra & Nagar Havell, 11 from Daman & Diu, 406 from Della, 243 from Goa, 5680 from Gujarat, 68 from Haryana, 9 from Himachal Pradesh, 15 from Janemu & Kashmir, 389 from Jharkhand, 4469 from Karnataka, 160827 from Kerala, 52 from Lakshadweep, 67 from Madhya Pradesh, 9337 from Maharashtra, 38 from Manipur, 48 from Meghalaya, 375 from Nagaland, 46 from Orissa, 547 from Pondicherry, 99 from Punjab, 99 from Rajasthan, 34 from Sikkim, 13598 from Tamil Nadu, 1 from Tripura, 412 from Uttar Pradesh, 9 from Uttaranchal, 159 from West Bengal, 98 from Other states and the total members joined in India are 199848. The Persons who have earned the commission more than 1 Crore are from Nano Excel are,

(1) ID No.3984 on the name of MUHAMMAD ASHARAF K.S PRAMOD KUMAR K. earned Rs. 1,63,26,236

(2) ID No. 3987 on the name of SASINDRAN P.R./SAJEEV K. earned Rs.1,42,51,236

(3) ID No.3623 on the name of UNIVERSAL ASSOCIATE earned Rs.1,40,34,753

(1) (4) ID No 4006 on the name JAYAN P.G. THRISSUR earned Rs. 1,31,32,386

(4) ID No.4922 on the name of BIJESH V.S. earned Rs. 1,18,17,609

(5) ID No.318625 on the name of RAMESAN P. KANNUR earned Rs.1,13,97,994

(6) ID No.5325 on the name of MUHAMMAD ASHARAF earned Rs. 1,10,56,803

(7) ID No. 3985 on the name of FIAISAL U earned Rs. 1,09,71,744

(8) ID No.5349 on the name of MUHAMMAD ASHARAF earned Rs 1,06,36,082”.

13. CW2 P.S. Krishnan, in his statement under section 161 Cr.P.C. stated that, "നാനോ എക്സൽ കമ്പനിയുടെ MD ഹരീഷ് ബാബു മദിനേനി ആണെന്നും, പാട്രിക് തോമസ് ഡയറക്ടറും, മുഹമ്മദ് അഷറഫ് ചേലക്കര, ജിജേഷ് ബി. നായർ, ശ്രീജേഷ് ബി. നായർ, **രാജേഷ് ബി. നായർ,** രമേശൻ കണ്ണൂർ, നിസാർ അഹമ്മദ്, രവി കൃഷ്ണൻ, സ്വാമിനാഥൻ തുടങ്ങിയവർ മുഖ്യപ്രമോട്ടർമാരും ആണെന്നും കമ്പനിയുടെ പ്രസിദ്ധീകരണങ്ങളിൽ നിന്നും മനസ്സിലായിട്ടുണ്ടായിരുന്നു. ഞങ്ങൾ നാനോ എക്സൽ കമ്പനിയിൽ ചേരുമ്പോൾ കമ്പനി നിയമവിരുദ്ധമായി പ്രവർത്തിക്കുന്നതാണെന്ന് എനിക്കറിയില്ലായിരുന്നു. നാനോ എക്സൽ കമ്പനിയിൽ ചേർന്നാൽ ഒരു വർഷം കഴിയുമ്പോൾ മുടക്ക് മുതലിന്റെ ഇരട്ടി ലഭിക്കുമെന്ന് പറഞ്ഞ് എന്നെ വിശ്വസിപ്പിച്ച ശേഷം 6000 രൂപ കമ്പനിയിൽ നിക്ഷേപിപ്പിച്ച ശേഷം ഒരു വർഷം കഴിഞ്ഞിട്ടും 1050 രൂപ മാത്രം എനിക്ക് നൽകിയശേഷം മുടക്കിയ മുതലിന്റെ ബാക്കിയോ ലാഭവീതമോ തരാതെ നാനോ എക്സൽ കമ്പനി എംഡി ആയ ഹരീഷ് ബാബു മദനീനിയും, ഡയറക്ടർ ആയ പാട്രിക് തോമസും മറ്റ് ഡയറക്ടർമാരും മുഖ്യപ്രമോട്ടർമാരായ മുഹമ്മദ് അഷറഫ്, നിസാർ അഹമ്മദ്, ജിജേഷ് ബി. നായർ, സ്വാമിനാഥൻ, രമേശൻ, രവികൃഷ്ണൻ, ജോൺസൺ കെ. തുടങ്ങി മറ്റു പലരും ചേർന്ന് എന്നെ ചതിക്കുകയായിരുന്നു”.

14. CW7 Sandeep, in his statement under section 161 Cr.P.C. stated that, “2009 വർഷം അവസാനത്തിൽ പനമരത്തുള്ള രഞ്ജിത്ത്, ഗോഡ്സൺ തുടങ്ങിയവർ എന്നെ

സമീപിച്ച് Nano Excel കമ്പനിയെ കുറിച്ച് പറഞ്ഞു പരിചയപ്പെടുത്തിയിരുന്നു. കമ്പനിയെ കുറിച്ച് കൂടുതൽ അറിയുന്നതിനായി കമ്പനിയുടെ ക്ലാസുകളിൽ പങ്കെടുക്കണമെന്ന് അവർ പറഞ്ഞതനുസരിച്ച് ഞാൻ മാനന്തവാടി മൂൺവാടിയ, ബ്രഹ്മഗിരി തുടങ്ങിയ സ്ഥലങ്ങളിൽ വച്ച് നടത്തിയ നാനോ എക്സൽ കമ്പനിയുടെ ക്ലാസിൽ പങ്കെടുത്തിരുന്നു. ആ ക്ലാസുകളിൽ നാനോ എക്സൽ കമ്പനിയുടെ പ്രൊമോട്ടർമാരായ മുഹമ്മദ് അഷറഫ്, നിസാർ അഹമ്മദ്, **രാജേഷ് ബി. നായർ,** ശ്രീജേഷ് ബി. നായർ, രഞ്ജിത്ത്, സജീവ് തുടങ്ങിയവർ പങ്കെടുത്തു നാനോ എക്സൽ കമ്പനിയെക്കുറിച്ചും കമ്പനിയുടെ പ്രവർത്തനങ്ങളെക്കുറിച്ചും നാനോ എക്സൽ കമ്പനിയുടെ ബ്രോഷറുകൾ കാണിച്ചും ക്ലാസെടുത്തിരുന്നു".

15. Hence, the contention of the petitioner in the discharge petition that, there is no evidence to show the involvement of the petitioner in this crime, is not at all true. The statements of witnesses and the documents produced along with the final report would clearly go to show that, the accused conducted illegal money circulation business with intend to commit cheating and this petitioner worked as a promoter promoting the illegal money circulation business of the accused companies and took an active role in committing cheating by conducting illegal money circulation business, in the name of the accused companies.

16. It is settled position of law that, at the stage of hearing on charges, the entire evidence produced by the prosecution is to be believed. In case, no offence is made out, then only, accused can be discharged. Truthfulness, sufficiency and acceptability of the material produced can be done only at the stage of trial. At the stage of framing charges, the Court has to satisfy, whether a primafacie case is made out against the accused, or not.

17. In this case, as per the final report, a strong primafacie case is made out against this petitioner to connect him with the offences alleged. Hence, after considering the police report, and documents sent along with the police report, under section 173 Cr.P.C., and after hearing both sides, I am of the finding that, there is

sufficient ground for proceeding against the accused no.22/petitioner, for the offences alleged in the prosecution case.

18. Hence, this discharge petition filed by accused no.22, stands dismissed.

(Dictated to the Confidential Assistant, typed by her directly to the computer, corrected and pronounced by me in the open court this, the 25th day of March, 2026.)

Sd/-
Additional Chief Judicial Magistrate,
Thrissur.