

**IN THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE-II
NEYYATTINKARA**

Present:-Smt. Nimmi Nair. M, Judicial First Class Magistrate-II, Neyyattinkara

Saturday, 6th day of June 2026

C.P. No.90/25

Complainant : The State of Kerala represented by the Sub Inspector of Police,
Parassala Police Station in Crime No.771/25.

(By Sri.Saji. A.V, Assistant Public Prosecutor, Neyyattinkara)

Accused : Anillkumar, aged 62 yrs, S/o Kamalasanan, Mekkevattavila
Veedu, Karumanoor Desom, Parassala Village.

(By advocate Girish Panju M S)

Offence : Under sections 126(2), 115(2) and 351(2) of the Bharatiya
Nyaya Sanhita, 2023 and Section 92(b) of Rights of Persons
with Disability Act, 2016.

Order : The case is committed to Hon'ble Sessions Court/Special
Court, Thiruvananthapuram, as provided under section 209(a)
of the Code of Criminal Procedure, 1973.

This case coming on this day, the Court passed the following:-

ORDER

1. This case has been arisen from the final report filed by the Sub Inspector of Police, Parassala Police Station in Crime No.771/25 against the accused alleged to have committed the offences punishable under sections 126(2), 115(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 92(b) of Rights of Persons with Disability Act, 2016.
2. **Prosecution case in brief is as follows:-** On account of enmity due to the non-payment of dues for undergarments purchased by CW1, who is a differently-abled person, from the accused's shop during the COVID-19 period, and with the intention to cause grievous hurt to him, on 18.03.2025 at about 08.30 PM

in front of Star Bakery in Parassala Village, on the public road, wrongfully restrained him by grabbing and holding his mundu near the genitalia. The accused abused the him and stating, “Are you not the thief, who owes the balance of 25 rupees for the undergarments purchased?” and forcefully slapped on his left cheek. Thus, the accused are alleged to have committed the offences punishable under sections 126(2), 115(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 92(b) of Rights of Persons with Disability Act, 2016.

3. On appearance of the accused, the copies of all relevant prosecution records were furnished to the accused and requirements under section 207 of the Code of Criminal Procedure, 1973 are complied with. The accused is on bail and is directed to appear before the Honourable Sessions Court as and when required.
4. On verification of prosecution records, it is seen that the accused person attacked the informant (disabled person). As per the Rights of Persons with Disabilities Act, 2016, the Hon’ble Court of Sessions has been designated to be the Special Court for the trial of offences against disabled person. Now as per the new amendment u/s.84 of the Rights of Persons with Disabilities Act, 2016, all offences under the Rights of Persons with Disabilities Act, 2016 shall be triable by the Special Court. Hence, in the view of the amendment made in Sec.84 of the Rights of Persons with Disabilities Act, 2016, on the ground that this offence is exclusively triable by the Special Court/Sessions Court as designated in the said statute. Hence this case is committed to the Hon’ble

Special Court for trial as provided under section 209(a) of the Code of Criminal Procedure, 1973.

5. The case records shall be forwarded to Hon'ble Sessions Court. The properties, if any produced shall be sent subject to Rule 77(2) of Criminal Rules of Practice, Kerala.
6. Notify the Public Prosecutor of the commitment of the case to the Court of Sessions under section 209(d) of the Code of Criminal Procedure, 1973.
7. The office is directed to keep certified copies of all relevant records before sending to the Hon'ble Court of Sessions.

(Dictated to the Confidential Assistant, transcribed and typed by her corrected and pronounced by me in open Court on this the 6th day of June 2026.)

Sd/-

Judicial First Class Magistrate-II,
Neyyattinkara.

//True Copy//

Judicial First Class Magistrate-II,
Neyyattinkara.