

IN THE COURT OF JUDICIAL MAGISTRATE FOR THE TRIAL OF FOREST
OFFENCES, NEDUMANGAD.

Present:- Smt. Haritha. G. H Judicial I Class
Magistrate for the trial of forest Offences, Nedumangad.

Tuesday 18th day of November, 2025

CRL. M. P. No. 3953/2025

CC No. 352/2018

(OR No. 07/2013 of Paruthippally Forest Range)

Petitioner : A1. Professor G. K. Balachandran Nair, Aged 85
years, S/o Gopalan Nair, S. M. R. A 136, T. C
9/1476, Radhappoorakkunnu Road,
Sasthamangalam, Vattiyoorkkavu village.

A2. Ravi, Aged 84 years, S/o Kuttan Pilla,
Aswathy, Kesavadasapuram, Kawadiar.

A3. K. Soman Nair, Aged 74 years, S/o
Kunjikrishna Pillai, Sandhya, T. C 7/596,
Maruthankuzhi, Kanjirampara.

(By Adv. Sri. Abin Sheeraj Narayan)

Counter Petitioner : State represented by the Forest Range Officer,
Paruthippally Forest Range.

(By APP-II, Nedumangad)

Heard, perused the records and passed the following:-

ORDER

This is a petition filed by the petitioners / A1 to A3 u/s. 228 Bharathiya Nagarik
Suraksha Sanhitha for permanent exemption from appearing before the court.

2. Petition averment in brief is that petitioners are the accused in OR No.
07/2013 of Paruthippally Forest Range alleging offences u/ss. 4 (1), 5 (1), 6 (1), 10 of
the Kerala Captive Elephant Management Rules 2003. First accused stated that he is 85
years old and he is suffering from several ailments and he was admitted in Kottaykkal
Arya Vaidhyasala, Thiruvananthapuram. Second accused stated that he is suffering
from cardiac illness and cancer illness and he is treated in Sreechithra Hospital,

Ernakulam Lekshore Hospital. Third accused stated that he is suffering from kidney problems and he is treated in G. G. Hospital, Thiruvananthapuram. They have stated that their conditions became very poor to travel long distances. Hence they could not attend the court regularly on all posting dates. They further stated that they will be properly represented by their counsel. They seeks exemption on these grounds.

3. Petitioners absent. Heard the counsel for petitioner. The affidavit filed by the petitioners show that they are suffering from severe diseases. The petitioners produced copies of medical certificate in support of their prayer. The petitioners / accused are on bail in this case and trial has commenced in this case and there is no possibility of trial coming to an end in near future. So if the application is rejected due to the pendency of this case it will be an injustice to the petitioners. Hence the petition filed by petitioners are allowed and petitioners are exempted from personal appearance for a period of two years.

1. The petitioners shall appear before the court as and when directed.
2. The petitioners shall file affidavit stating that they will not dispute their identity at any stage and they will not take a plea that the evidence is recorded in their absence.
3. The petitioners shall be properly represented by a counsel or person authorized by their in their behalf.

Pronounced in open court on this the 18th day of November, 2025.

Sd/-

Judicial I Class Magistrate for the trial of Forest Offences,
Nedumangad.