

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
KATTAKKADA**

**Present: Smt Shiva Sharath
Judicial First Class Magistrate**

Dated this the 16th day of April 2026

CP 166/2025

Complainant : State – Represented by the Inspector of Police, Kattakada Police Station
in Crime No.959/2022

(Rep. by Assistant Public Prosecutor Gr.II)

Accused : Naseer, aged 48 yrs, S/o Shamsudheenm Thadatharikathu veedu,
Eenthikunnu, Pzhummoodu, Kuzhaikkadu muri, Perungulam village.

(Rep by T Santhosh)

Offences : Under S. 6 r/w 24 of Cotpa Act, S. 118(i) of KP Act and S.75 of JJ Act.

Sentence / Order : The case against accused is committed to Hon'ble Sessions Court,
Thiruvananthapuram, as provided under S. 232(a) of BNSS.

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

O R D E R

1. The case arose from Final Report filed by the Sub Inspector of Police, Kattakada police Station in Crime No.959/2022 alleging offences punishable under S. 6 r/w 24 of Cotpa Act, S. 118(i) of KP Act and S.75 of JJ Act.

2. Prosecution case in brief is that at :

On 16.10.2022 at about 12:25 p.m., the accused was found to be in possession of prohibited tobacco products namely GANESH and COOL Lip, which were illegally stored and offered for sale at Kulatthummam Village, where the accused was selling the said tobacco products to minor school-going children, including those coming to tuition

centres and other places. At the time of detection, the accused was found in possession of 772 pouches of COOL Lip and 362 pouches of GANESH, and also in possession of a sum of ₹69,500/-, being the sale proceeds obtained by selling the said prohibited tobacco products. Thereby accused is alleged to have committed the aforesaid offences.

3. Originally the case was taken on file as CC 1457/2022. Upon perusing the records it is seen that the accused was selling the said tobacco products to minor children. As per S. 86(4) of JJ Act, 2015 the Hon'ble Children's Court Thiruvananthapuram alone has the power to proceed with the trial of this case. Hence CC 1457/2022 is refiled as CP 166/2025.
4. This court granted bail accused as per CMP no. 3492/2022 dated 14.12.2022. Copies of all relevant prosecution records were furnished to the accused and thereby mandate u/s. 230 BNSS was complied with.
5. Heard the learned counsel for the accused and the learned APP. Perused relevant records.
6. On perusal of the records it is found that one of offences alleged against the accused namely S. 75 of JJ act is exclusively triable by the Hon'ble Court of Sessions. Therefore, the case against accused is hereby committed to the Hon'ble Court of Sessions, Thiruvananthapuram as per U/s. 323 Cr.PC (362 BNSS).
7. The case records, documents, material objects if any shall be forwarded to Hon'ble Sessions Court, Thiruvananthapuram.

8. Intimate the committal of this case to learned public prosecutor.
9. The accused is directed to appear before the Hon'ble Sessions Court, Thiruvananthapuram as and when required.
10. 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 16th day of April 2026.

Sd/-

**Judicial First Class Magistrate
Kattakkada**

// True copy//

**Judicial First Class Magistrate
Kattakkada**