

SESSIONS DIVISION, KALPETTA, WAYANAD

**IN THE SPECIAL COURT FOR TRIAL OF OFFENCES UNDER POCSO
ACT & CHILDRENS' COURT(ADDITIONAL SESSIONS COURT-I),
KALPETTA, WAYANAD**

Present: Smt.A.V. Mrudula, Special Judge (Additional Sessions Judge-I), Kalpetta

Tuesday, this the 07th day of April, 2026
17th day of Chaithra, 1948

CRIMINAL MISCELLANEOUS PETITION No.01/2026
in Sessions Case No.98/2023
Crime No.300/2022 of Kalpetta Police Station

K.M. Ashraf, aged 52/2022, S/o.K.M.Bava,
Kunnathumpadiyil House, Mess House Road,
Kuttikunnu, Kalpetta, Wayanad.

} Petitioner/
Accused

AND:

The State of Kerala, represented by the Station House
Officer, Kalpetta Police Station through the Special
Public Prosecutor, Kalpetta.

} Respondent/
State

This petition coming on this day for hearing before me in the
presence of Sri.K.Sasikumar, Advocate for the Petitioner/Accused and
Sri.Mohandas.T.G, Special Public Prosecutor for the Respondent/State and
on the same day the Court passed the following:

O R D E R

This is a petition filed by the learned defense counsel to reopen the
hearing of the case. Counter filed by the Additional Public Prosecutor opposing
the petition.

2. As per the petition, the defense counsel was engaged in the Fast
Track Special Court, Sulthanbathery on 16.03.2026 when the case was posted
for hearing. The learned counsel has argued that there is no willful latches from

his side and that serious prejudice will be caused to the accused if an opportunity is not granted for submitting his arguments. The Additional Public Prosecutor on the other hand has argued that this petition is filed with a view to protract the proceedings.

3. On hearing both sides and perusing the records, I am of the view that the petitioner has put forward sufficient reasons for his non-appearance on 16.03.2026 and that an opportunity has to be granted to submit the arguments in the interest of justice. Hence, the petition is allowed and the hearing of the case is reopened.

In the result, the petition is allowed.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open Court, on this, the 07th day of April, 2026.)

SPECIAL JUDGE (Under the PoCSO Act)
(ADDITIONAL SESSIONS JUDGE-I)