

IN THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE I,
SULTHAN BATHERY

Present:- Smt. Safeena C.C,
Judicial First Class Magistrate-I,
Sulthan Bathery.

Thursday 26th day of March 2026
5th day of Phalguna, 1947

COMMITTAL PROCEEDINGS NO. 06/2026

Complainant	: State represented by the Sub Inspector of Police, Meenangadi PS in Crime No.258/17. (By Sri. Aneesh Joseph APP Gr.I) (In charge)
Accused	A1 Binu @ Antony S/o Issac, aged 40/17, Aymanathil House, Avayal, Krishnagiri. A2 Biju S/o Issac, aged 42/17, Aymanathi House, Avayal, Krishnagiri. A3 Rosily W/o Issac, aged 63/17, Aymanathi House, Avayal, Krishnagiri. (By Adv. K.A.Krishnan)
Charge	: U/Ss 447, 341, 323, 324, 354 r/w sec. 34 IPC
Sentence or order	: Case is committed to the Hon'ble Court of Session, Kalpetta u/s 362 of Bharatiya Nagarik Suraksha Sanhita (BNSS).

COMMITTAL ORDER

This case was charge-sheeted by the Sub-Inspector of Police, Meenangadi Police Station, in Crime No. 258/17, against the accused for offences punishable under Sections 447, 341, 323, 324, and 354 read with Section 34 of the Indian Penal Code (IPC).

02. The prosecution alleges that on 24.12.2014 at around 9:30 hours at Avayal in Krishnagiri, the accused 1 to 3, in furtherance of their common intention, committed criminal trespass into the courtyard of the dwelling house of CW1. The first accused is alleged to have voluntarily caused hurt to CW7 by beating her with firewood, and also caused hurt to CW5 by striking him on the left shoulder with an iron rod, and outraged the modesty of CW7 by tearing her nightie. The second accused is alleged to have voluntarily caused hurt to CW8, Sarojini, by catching hold of her hair, pushing her down, and wrongfully restraining her, and also voluntarily caused hurt to CW6, Aswin Krishna, by throwing him down. The third accused is alleged to have voluntarily caused hurt to CW7 by beating her with an iron rod. Thus, the accused are alleged to have committed offences punishable under Sections 447, 341, 323, 324, 354 read with Section 34 of the Indian Penal Code (IPC).

03. Originally, this case was taken on file as CC 687/2017. Upon verification, it was found that CW5 and CW6 were minor injured at the time of the alleged offences, indicating a violation of child rights. Consequently, the case is required to be tried by the Children's Court, as notified under Section 25 of the Commission for Protection of Child Rights Act, 2005. Therefore, the case needs to be committed to the Hon'ble Sessions Court, and accordingly, it has been refiled as CP No. 06/26 for initiating committal proceedings.

04. Accused were released on bail, when they appeared before the court, furnished with all the relevant prosecution records as contemplated under Section 207 of Cr.P.C.

05. The case is committed to the Hon'ble Court of Sessions, Kalpetta for trial - u/s 362 of Bharatiya Nagarik Suraksha Sanhita

(BNSS).

06. The Public Prosecutor, Kalpetta shall be notified of the commitment of the case.

07. Transmit the case records and material objects, if any, to the Hon'ble Court of Sessions, Kalpetta.

08. The accused is directed to appear before the Hon'ble Court of Sessions, Kalpetta as and when required.

(Pronounced by me in open court this the 26th day of March 2026)

sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

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JUDICIAL FIRST CLASS MAGISTRATE-I
SULTHAN BATHERY

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE -I,
SULTHAN BATHERY .
DIARY EXTRACT IN CP 06/2026

Complainant	:	SHO, Meenangadi
Accused	:	A1. Binu @ Antony A2. Biju S/o Issac A3. Rosily W/o Issac
Charge	:	U/Ss 447, 341, 323, 324, 354 r/w sec. 34 IPC
Date of filing	:	21.12.2017, taken on file as CC 687/2017
Date of hearing	:	22.02.2018
22.02.2018	:	JFCM is on leave case reposted by notification 2.6.18
02.06.2018	:	JFCM is on leave case reposted by notification 15.10.18
15.10.2018	:	A1 A3 are present. Bail application filed. Bail granted to A1, A2 and A3. Copy given to the accused. For hearing on charge 15.1.19
15.1.2019	:	Government declared holiday the case is reposted by notification to 23.3.19
23.03.2019	:	A1 absent, applied. A2 and A3 present. For framing charge 22.6.19
22.06.2019	:	A1, A2 and A3 are present. Charge read over to A1 to A3 to which they pleaded not guilty. For evidence.28.10.2019
28.10.2019	:	JFCM is on leave case reposted by notification to 6.1.20
06.01.2020	:	Accused No.1 absent, applied. A2 and A3 are present. For evidence 28.4.20
28.04.2020	:	Covid-19 case reposted by notification 6.7.20
06.07.2020	:	Accused are absent. For evidence 6.11.2020

06.11.2020	:	Covid-19 case reposted by notification 6.2.21
06.02.2021	:	For evidence 7.6.21
07.06.2021	:	Lock down case reposted by notification 29.9.24
29.09.2024	:	Covid-19 case reposted by notification to 1.1.22
01.01.2022	:	JFCM is on OD case reposted by notification to 20.4.22
20.04.2022	:	JFCM is on leave case reposted by notification to 20.7.22
20.07.2022	:	Accused 1 and 2 present. A3 absent, applied. For evidence .Issue summons to CW1 30.9.22
30.09.2022	:	JFCM is on leave case reposted by notification to 29.11.22
29.11.2022	:	All accused (A1 t A3) absent, applied. CW1 absent, summons not returned. Issue Notice SHO 15.2.23
15.02.2023	:	A1 and A2 present. A3 absent, applied. CW1 present. For the presence of A3 CW1 bound over to 4.4.23
04.04.2023	:	A3 absent, applied. A1 and 2 present. Counsel for accused submitted to be laid up of fever. CW1 present. He is bound over. For producing medical certificate. 10.5.23
10.05.2023	:	A1 to 3 absent, applied. CW1 present. Accused not ready for evidence upon paying cost of Rs, 500/- to CW1. Bound over. 12.7.23
12.07.2023	:	A1 and 2 present. A3 absent, applied. CW1 present. Examined as PW1. Ext P1 marked. Issue summons to CW5 to 8.
02.09.2023	:	A3 absent, applied. Others present.

CW6 to 8 present examined as PW2 to PW4. Issue summons to CW2 to 4. CW54 and 7 absent, summons served affixed. Issue Bailable warrant 20.10.23

- 20.10.2023 : A3 absent, applied. Others present. CW7 seen examined earlier. CW5 absent, bailable warrant returned. issue NBW. Repeat summons to CW2 to 4.
- 14.12.2023 : A1 and 2 present. A3 absent, applied. CW2 given up. CW3 examined as PW5. Ext P2 marked. Issue summons to CW4 and 5.
- 07.02.2024 : A1 and 2 present. A3 absent, applied. CW5 present, examined as PW6. CW4 absent, summons served. Issue bailable warrant. Issue summons to CW9.
- 15.03.2024 : A3 absent, applied. Others present. CW4 and 9 absent, bailable warrant returned against CW4. Summons not served to CW9. Repeat summons to CW9. Repeat bailable warrant to CW4.
- 26.04.2024 : Government declared holiday. The case is reposted by notification to 29.6.24
- 29.06.2024 : A1 and A2 present. A3 absent, applied. Summons served to CW9, absent. Issue bailable warrant. Repeat bailable warrant to CW4 22.8.24
- 22.08.2024 : A1 present. A2 and A3 absent, applied. Issue repeat bailable warrant to CW4 and CW9 17.9.24
- 17.09.2024 : A1 and A2 present. CW4 present. Examined as PW9. Await NBW to cW9, CW12 and CW13. Issue show cause to SHO 7.10.19

- 07.10.2024 : A1 and A3 absent, applied. A2 present. CW9 present examined as PW10. Ext.P8 to P12 marked. Await NBW to cW12 and CW13. Issue show cause to SHO 18.11.25
- 18.11.2025 : A2 present. A1 and A3 absent, applied. Await NBW to CW12 and CW13. Issue show cause to SHO through SP. 2.12.2025
- 02.12.2025 : A1 and A2 present. A3 absent, applied. CW12 no more. Death Certificate produced. Repeat NBW to CW13 23.12.25
- 23.12.2025 : JFCM is on leave case reposted by notification to 31.1.26
- 30.01.2026 : A-2 present. A1 and A-3 absent applied. Await Non-bailable Warrant against CW-13.
- 11.02.2026 : A-2 present. A1 and A-3 absent applied. Repeat Non-bailable Warrant against CW-13.
- 24.02.2026 : A1 and A-2 absent represented. A3 absent applied and Repeat Non-bailable Warrant against CW-13.
- 25.02.2026 : This case is suo motu advanced. Due to a technical error, the proceedings were mistakenly recorded in this case on the previous posting date. Today, A1 and A2 are present and A3 is absent with an application filed. CW13 is present and examined as PW11 and the prosecution evidence is closed. All accused shall be present on the next posting date for 313 examination. issue notice to the accused counsel.
- 28.02.2026 : All accused present at the time of verification of 313 it is revealed that CW 5 and 6 are minors. Hence for verification regarding committal

since injured minor involved in this case.

- 07.03.2026 : All accused present. Upon verification of records, it is found that CW-5 and CW-6 are minor victims, at the time of the commission of the offence, and there has been a violation of child rights. The case, therefore, needs to be tried by the Children's Court notified under Section 25 of the Commission for Protection of Child Rights Act, 2005, and committed to the Hon'ble Court of Session. Accordingly, the case is refiled as C.P. No. /26 for initiating committal proceedings. For verification and committal, the accused shall be present before the Court on 21/ 03 / 2026 in the refiled C.P. No.6 /26.
- 21.03.2026 : Being additional charge, case re-posted by notification.
- 26.03.2026 : All accused present, copy verified, submitted. Hence, this case is committed to the Honorable Sessions Court Address prosecution.

Sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

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JUDICIAL FIRST CLASS MAGISTRATE-I
SULTHAN BATHERY

FORM No.31

Notice of commitment by Magistrate to Public Prosecutor

The Magistrate of Judicial First Class Magistrate-I, Sulthan Bathery hereby gives notice that I have committed one CP 06/2026 for trial at the next sessions; and I hereby instruct the Public Prosecutor to conduct the prosecution of the said case.

The charges against the accused is that he had committed offences punishable under Sections 447, 341, 323, 324, 354 r/w sec. 34 IPC.

(Dated this the 26th day of March 2026)

sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

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JUDICIAL FIRST CLASS MAGISTRATE-I
SULTHAN BATHERY

No. CP 06/2026 Office of the Judicial First Class Magistrate I,
Sulthan Bathery, dated 26.03.2026

From

Safeena C.C
Judicial First Class Magistrate I,
Sulthan Bathery.

To

The Honourable Sessions Judge,
Kalpetta.

Sir,

Sub:- Crl. Justice CP 06/2026 on the file of this court-
committed case records- submitting of – reg:-

Th entire case records in CP 06/2026 on the file of this court
duly arranged and indexed with the committal order and true extract of
case diary are submitted herewith. The receipt of the same may kindly
be acknowledged.

Yours faithfully

Judicial First Class Magistrate -I
Sulthan Bathery

FORM NO. 44

Number of the case : CP.06/26

Name of accused : A1. Binu @ Antony
A2. Biju S/o Issac
A3. Rosily W/o Issac

Substance of the complaint : U/Ss 447, 341, 323, 324, 354
r/w sec. 34 IPC

Name of the complainant or the police station from which the charge sheet was received with the date and number of the charge sheet. : State represented by the Sub
Inspector of Police,
Meenangadi PS in Crime No.
258/17, Charge Sheet No.
394/17, dated: 27.09.2017.

Result of the enquiry : Committed to Hon'ble Sessions
Court, Kalpetta.

Date of offence : 24.12.2014

Date of complaint : 20.12.2017

Date of apprehension or Appearance : 09.08.2017

Date of closing proceeding : 26.03.2026

Explanation for delay : No delay.

sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

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SULTHAN BATHERY