

IN THE COURT OF SESSIONS, KALPETTA DIVISION

Present :- Sri.Biju.T., Special Judge, Mananthavady.

Tuesday the 27th day of January, 2026
(The 07th day of Magha, 1947)

CRIMINAL MISCELLANEOUS PETITION No.1/2026
SC 486/2024

State of Kerala represented by DySP, SMS Wayanad through Special Public Prosecutor, Mananthavady.	:	Petitioner/ State
Santhosh M.R., Aged 47/2024, S/o Ravi, Mazhakkattu House, Kappiset, Sasimala Post, Pulpally.	:	Respondent/Accused

This petition is coming on this day for hearing before me in the presence of Sri.Sraddhadaran M.G., Special Public Prosecutor for the Petitioner /State Sri.K.Rajesh, Counsel for the respondent / accused and and upon hearing and perusing the petition, the court passed the following:-

O R D E R

The learned Additional Public Prosecutor for the State has filed this petition to examine CW9, Dr.Haseeb, through online mode.

2. The offences alleged against the accused are U/s. 126(2), 115(2) and 296(b) of the Bharatiya Nyaya Sanhita and U/s.3(1)(s) and 3(2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

3. The gist of the petition is as follows:- This petition is filed seeking permission to examine CW9, Dr.Haseeb, ENT Surgeon, District

Hospital, Mananthavady, through video conferencing from Fast Track Special Court, Taliparamba, since he is now working there. Hence, this petition.

4. No objection filed by learned counsel for the accused.

5. Heard both sides.

6. It is submitted that the witness Dr.Haseen, ENT Surgeon, District Hospital, Mananthavady, is not in a position to appear before the court personally. It is stated that the witness is ready and willing to tender evidence through video conferencing. The examination of the witness is necessary for the just decision of the case. It is submitted that CW9 is available at Fast Track Special Court, Taliparamba, since he is working there. If the witness is not examined, the ends of justice will not be met. So in order to secure justice, it is necessary to permit the appearance of the witness through video conferencing to avoid further delay in the administration of justice. In the interest of justice, the petition is only to be allowed.

In the result,

The petition is allowed and the witness is permitted to tender evidence through video conferencing;

1. The system administrator of this court shall arrange equipment of video conferencing. Video conferencing shall be done via google

meet. The link for google meet shall be generated and forwarded by the system administrator of this court well in advance to all parties to the case. Address Hon'ble Principal District and Sessions Judge, Kannur, for appointing remote point co-ordinator. The copy of the document to be proved through the witness shall be forwarded to the remote point co-ordinator well in advance through online mode. The statement of the CW9 recorded by the investigating officer shall also be send to the remote point co-ordinator through online mode and serve them to the witness. The remote point co-ordinator shall arrange steps to take out the printout of the scanned deposition and get it signed by the witness and forward the signed copy through e-mail without fail on the date of examination. Thereafter, the remote point co-ordinator shall send the hard copy signed by the witness to this court. Send the original deposition to this court at the earliest. For examination of CW9 to 02.02.2026.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 27th day of January, 2026).

SPECIAL JUDGE

Typed by: Manuel M.P.

Compared by: Abdul Rasheed E.K.

Order in CMP.1/2026
in SC 486/2024