IN THE COURT OF SESSIONS, KALPETTA DIVISION

Present :- Sri.Biju.T., Additional Sessions Judge, Mananthavady.

Saturday the 07th day of February, 2026
(The 18th day of Magha, 1947)

CRIMINAL MISCELLANEOUS PETITION No.1/2026
SC 43/2024

State of Kerala represented by SHO, Vellamunda through Additional Public Prosecutor, Mananthavady.	:	Petitioner/ State
1) Abdul Hameed T.K. @ T.K.Hameed, aged 57/22, S/o Muhammad, Theeyyakandy House, Tharuvana P.O., Pulikkad. 2) Muhammed Jabir Ali @ T.K.Jabir, Aged 27/22, S/o T.K.Hameed, Theeyyakandy House, Tharuvana P.O., Pulikkad.	:	Respondents/Accused

This petition is coming on this day for hearing before me in the presence of Sri.Sraddhadaran M.G., Additional Public Prosecutor for the Petitioner /State Sri.Amruthraj George, Advocate for the Respondent/accused 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 CW16, Dr.Hibsudheen and CW30, Dr.Vipin, through online mode.

2. The offences alleged against the accused are U/ss.451 and 306 r/w 34 of the Indian Penal Code.

3. The gist of the petition is as follows:- This petition is filed seeking permission to examine CW16, Dr.Hibsudheen, Scientific

Officer, Wayanad and CW30, Dr.Vipin, Assistant Forensic Surgeon, Mananthavady Medical College, Mananthavady, through video conferencing from District Court, Kozhikode, since they are 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 CW16, Dr.Hibsudheen, Scientific Officer, Wayanad and CW30, Dr.Vipin, Assistant Forensic Surgeon, Mananthavady Medical College, Mananthavady, are not in a position to appear before the court personally. It is stated that the witnesses are ready and willing to tender evidence through video conferencing. The examination of the witnesses are necessary for the just decision of the case. It is submitted that CWs.16 and 30 are available at District Court, Kozhikode, since there are working there. If the witnesses are 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 witnesses 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 witnesses are 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, Kozhikode, for appointing remote point co-ordinator. The copies of the documents to be proved through the witnesses shall be forwarded to the remote point co-ordinator well in advance through online mode. The statements of the CWs.16 and 30 recorded by the investigating officer shall also be send to the remote point co-ordinator through online mode and serve them to the witnesses. The remote point co-ordinator shall arrange steps to take out the printout of the scanned depositions and get it signed by the witnesses and forward the signed copies through e-mail without fail on the date of

examination. Thereafter, the remote point co-ordinator shall send the hard copies signed by the witnesses to this court. Send the original depositions to this court at the earliest.

For examination of CW16 to 07.03.2026 and CW30 to 16.03.2026.

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

ADDITIONAL SESSIONS JUDGE

Typed by: Manuel M.P.
Compared by: Abdul Rasheed E.K.