

IN THE COURT OF SESSIONS, KALPETTA DIVISION

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

Tuesday the 07th day of April, 2026
(The 17th day of Chaithra, 1948)

CRIMINAL MISCELLANEOUS PETITION No.01/2026
SC 377/2025

State of Kerala represented by Additional Public Prosecutor, Mananthavady	:	Petitioner / State
Balan, Aged 55/2025, S/o Kelu, Kannivayal, Mothakkara, Kottarakkunnu, Vellamunda.	:	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 and Sri.K.T.Vinodkumar Advocate for the Responents/accused and upon hearing and perusing the petition, the court passed the following:-

ORDER

The learned Additional Public Prosecutor for the State has filed this petition to examine CW13, Dr.Arun, Casualty Medical Officer, District Hospital, Mananthavady, through online mode.

2. The offences alleged against the accused are U/ss.115(2), 118(1), 126(2), 329(4), 351(1) and 110 of the Bharatiya Nyaya Sanhita.

3. The gist of the petition is as follows:- This petition is filed seeking permission to examine CW13, Dr.Arun, Casualty Medical Officer,

District Hospital, Mananthavady, through video conferencing from Judicial First Class Magistrate Court, Nilambur, since he is now working at Coimbatore. Hence, this petition.

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

5. Heard both sides.

6. It is submitted that the witness CW13, Dr.Arun, Casualty Medical Officer, 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 CW13 is available at Judicial First Class Magistrate Court, Nilambur, since he is working at Coimbatore. 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, Manjeri, 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 CW13 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.

(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).

Typed by: Manuel M.P.
Compared by: Meenakshy C.M.

ADDITIONAL SESSIONS JUDGE