

**GOVERNMENT OF KERALA****Abstract**

Prisons - Reference under Rule 131 of Kerala Criminal Rule of Practices - Order dated 11.02.2025 of Hon'ble High in Crl.A No. 1106/2018, filed by Nanicheri Rajani - Complied with - Orders issued.

HOME (B) DEPARTMENT

G.O.(Ms)No.15/2026/HOME Dated,Thiruvananthapuram, 23-01-2026

- Read: 1. Judgment dated 30.05.2018 of the Hon'ble Additional Special Judge, Thalassery in SC No. 495/2012
2. Order dated 11.02.2025 of Hon'ble High in Crl.A No. 1106/2018, filed by Nanicheri Rajani
3. Letter No. HCKL/2580/2025-DI-8-HC KERALA, dated 14.03.2025 of the Registrar (District Judiciary), High Court of Kerala.
4. Letter No: J4 - CRA 1106/2018/2025085365 dated 16.06.2025 & 26.06.2025 of the Advocate General, Kerala.
- Letter No. KPCS/4885/2025/WP1, dated 05.08.2025, 5. 19.08.2025 & 15.09.2025 of the Director General, Prisons & Correctional Services

ORDER

Smt. Nanicheri Rajani, the accused in S.C. No. 495/2012 of the Hon'ble Additional Special Court for the Trial of Offences Against Women and Children, Thalassery, was charged with the murder of her two children by plunging them into a well and for attempting to commit suicide. The Hon'ble Additional Sessions Court, as per the judgment read as the 1st paper above, found the accused guilty under Sections 302 and 309 of the IPC. She was sentenced to imprisonment for life and a fine of ₹50,000/- under Section 302 IPC, with Rigorous Imprisonment for one year in default of payment of fine for the murder of each child. She was also sentenced to Simple Imprisonment for three months under Section 309 IPC. The life sentences were ordered to run concurrently. Subsequently, the Hon'ble Special Judge of the Trial Court made a reference to the Government under Rule 131 of the Kerala Criminal Rules of Practice for the remission of her sentence, through the Registrar (District Judiciary), as per the letter read as the 3rd paper

above.

2. The Hon'ble High Court, in the judgment read as the 2nd paper above, directed that, since the report of the learned Sessions Judge was before it, the Registry is to urgently forward the reference opinion of the learned Sessions Judge dated 03.07.2018 to the Government, along with copies of the relevant records, as mandated under Rule 131 of the Rules and the Court further directed that, upon receipt of the reference, the Government should consider the same and take an appropriate decision as expeditiously as possible and, in any event, within a period of two months from the date of receipt of the records.

3. The Director General, Prisons & Correctional Services reported that, Smt. Nanicherry Rajani was admitted to jail on 30.05.2018. Later she was released on bail on 07.12.2019 as per the order of the Hon. High Court in CrI.A.No.1106/18 filed by her.

4. Government have examined the matter in detail, including the reference under Rule 131, the Police report, and the Probationary Officer's report. After careful consideration of the legal and factual aspects, the Government finds that the request for remission is not sustainable at this juncture and hence the reference made under Rule 131 of Kerala Criminal Rules of Practice in respect of Smt. Nanicheri Rajani is hereby rejected.

5. The Judgment read as 2nd paper above is complied with accordingly.

(By order of the Governor)

BISHWANATH SINHA
ADDITIONAL CHIEF SECRETARY

Advocate General, Kerala, Ernakulam (with C/L).

The Registrar (District Judiciary), High Court of Kerala, Ernakulam

The Director General of Prisons and Correctional Services,

Thiruvánanthapuram

The Superintendent, Women Prison & Correctional Home, Kannur

General Administration (SC) Department

Web & New media, I&PRD

Stock File.

Forwarded /By order

Section Officer