

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Crl.MC.No. 7407 of 2014 ()

**IN CMP No.7723/2014 IN CC No.431/2012 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT, VATAKARA.**

PETITIONER(S)/ACCUSED NO.2:

**SHABEER K AGED 31 YEARS
S/O. MUHAMMED, KUNIYIL(H), CHORODE AMSOM DESOM
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.RANJIT BABU
SRI.K.B.ARUNKUMAR**

RESPONDENT(S)/STATE:

**STATE OF KERALA
REPRESENTED THROUGH THE STATION HOUSE OFFICER
VATAKARA POLICE STATION, KOZHIKODE DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM. PIN-682031.**

R BY PUBLIC PROSECUTOR, SRI. R. GITHESH

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- ANX.1. THE CERTIFIED COPY OF THE PROCEEDINGS SHEET IN C.C. NO. 431/2012 NOW PENDING ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, VATAKARA.**
- ANX.2. THE CERTIFIED COPY OF THE PETITION SUBMITTED BY THE PETITIONER.**
- ANX.3. THE CERTIFIED COPY OF THE ORDER DATED 26-11-14 IN C.M.P. NO. 7723/2014 IN C.C. NO. 431/12 NOW PENDING ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, VATAKARA.**

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

P.BHAVADASAN, J.

Crl.M.C. No. 7407 of 2014

Dated this the 30th day of December, 2014

ORDER

The petitioner is aggrieved by the imposition of amount to the tune of ₹ 2,000/- each for recalling PWs 1, 5 and 6 and ₹ 1,500/- each for PWs 2 and 7. The petitioner prays that the amount so ordered is on the very high side and is not warranted by the facts and circumstances of the case.

2. After having given anxious consideration to various aspects, there seems to be some justification in the claim made by the petitioner. It may amount to mulct with heavy costs for recalling witnesses and for adducing evidence in support of his case.

In the result, this petition is allowed and the direction to pay ₹ 2,000/- for each for recalling Pws 1, 5 and 6 shall stand reduced to ₹ 1,000/- (Rupees One Thousand only) and direction to pay ₹ 1,500/- each for PWs 2 and 7 shall stand reduced to ₹ 750/- (Rupees Seven Hundred and Fifty only).

With the above observation, this petition is disposed of.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge