

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Crl.L.P.No. 455 of 2015

C.C. No.724/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,PERAMBRA

PETITIONER/COMPLAINANT:

**O.V.SOOPY, AGED 55 YEARS,
S/O. MOIDEEN, NHAVVIL MEETHAL HOUSE, AVALA AMSOM,
KUTTOTH DESOM, KUTTOTH P.O., KOYILANDY TALUK,
KOZHIKODE DISTRICT.**

**BY ADVS. SRI. R. BINDU (SASTHAMANGALAM)
SRI. PRASANTH M.P**

RESPONDENT(S)/ACCUSED & STATE:

- 1. SANTHOSH KUMAR P.P., AGED 47,
S/O.ARIYAN, THATTATHUPARAMBIL HOUSE,
ERAVATTUR AMSOM DESOM, ERAVATTUR P.O., VIA PERAMBRA,
KOZHIKODE DISTRICT - 673 525.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R2 BY PUBLIC PROSECUTOR SRI. ABHIJETT LESSLI

**THIS CRIMINAL LEAVE PETITION HAVING BEEN FINALLY HEARD ON
18-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

P. UBAID, J.

Crl.L.P. No.455 OF 2015

Dated this the 18th day of November, 2015

ORDER

Heard.

2. The applicant is really aggrieved by the order of the trial court dismissing the complaint for non-prosecution. The impugned order does not show at what stage such dismissal was made. The legality of the order will have to be looked into. Hence the petition is allowed. The petitioner is granted leave to file appeal against the order of acquittal of the court below in C.C.No.724/2013.

Sd/-
**P. UBAID
JUDGE**

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PA to Judge