

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Crl.MC.No. 130 of 2015 ()

**IN CP 5/2014 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
CRIME NO. 1/2012 OF CBCID, THIRUVANANTHAPURAM**

PETITIONER(S)/ACCUSED NO.3:

**ANANTHANARAYANA BHAT, AGED 66 YEARS
S/O.LATE NARAYANAN BHAT, NO.26/1249, MANAYATH
ST.JOSEPH ROAD, THEVARA, NEAR KSEB OFFICE
COCHIN-13, NOW RESIDING AT SAI KRIPA, CSRA 65
PANDARACHIRA ROAD, KADAVANTHARA, PIN - 682 020.**

**BY ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ**

RESPONDENT(S)/COMPLAINANT:-:

**CENTRAL BUREAU OF INVESTIGATION,
THIRUVANANTHAPURAM UNIT, KERALA
REPRESENTED BY THE SUPERINTENDENT OF POLICE
SPE/CBI/SEB, TVM, THIRUVANANTHAPURAM.**

R1BY ADV. SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 13-01-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 130 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1: TRUE COPY OF THE FINAL REPORT DATED 10.06.2013 IN CRIME NO.RC1(A)/2012/CBI/SEB/TVPM FILED BY THE RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE'S COURT, ERNAKULAM.

ANNEXURE A2: TRUE COPY OF THE RECEIPT DATED 07.03.2012 ISSUED BY UMA V.S., INSPECTOR OF POLICE, CBI, SPECIAL CRIME BRANCH, KOCHI UNIT, KERALA TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No. 130 of 2015

Dated this the 13th day of January, 2015.

O R D E R

The petitioner herein is the accused in a case where the CBI has submitted final report. He seeks a direction to the Committal court or the Court of Session to release his passport. Finding that he is not definite whether his case is before the Committal court or the Court of Session, I called for a report from the learned Chief Judicial Magistrate, Ernakulam. Now the learned Chief Judicial Magistrate has reported that the case stands already committed to the Court of Session. In such a situation, the petitioner will have to approach the appropriate trial court. His request cannot be now entertained by this court, because the question of releasing the passport will have to be considered by the trial court at the first instance. If the petitioner has sufficient reason or ground, it will be considered by the trial court, appropriate orders will be passed by the trial court.

With these observations this CrIM.C is closed. Now the learned counsel complaints that the learned Chief Judicial Magistrate has not so far transmitted the case records to the court of Session. Of

course, the report of the learned Magistrate does not show whether he has transmitted the case records. However, if the committal court has not so far transmitted the case records, the learned Chief Judicial Magistrate is hereby directed to transmit the case records immediately to the Court of Session.

P.UBAID,
JUDGE

sab