

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. 164 of 2015 ()

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CC 517/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT, CHALAKUDY
CRIME NO. 266/2012 OF VELLIKULANGARA POLICE STATION, TRISSUR DISTRICT
=====**

PETITIONER/ACCUSED:

**BABY, AGED 54 YEARS
S/O. ISAC, MANNUMPUZHA VEEDU
ATHANI, THRISSUR.**

BY ADV. SRI.T.A.UNNIKRISHNAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY Sr. PUBLIC PROSECUTOR SMT. SAREENA GEORGE P.

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

APPENDIX

PETITIONER'S EXHIBITS

**A1 - TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO. 266/2012 OF
VELLIKULANGARA POLICE STATION**

**A2 - TRUE COPY OF THE FINAL REPORT NO. 1114/13 OF JUDICIAL FIRST CLASS
MAGISTRATE COURT, CHALAKUDY.**

RESPONDENT'S EXHIBITS

NIL

// TRUE COPY // P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.164 of 2015

Dated this the 13th day of January, 2015

O R D E R

The petitioner herein is the sole accused in C.C.No.517/2014 of the Judicial First Class Magistrate Court, Chalakudy. He is a Sub Inspector in service, and he is due to retire on superannuation, next year. He seeks orders from this Court for speedy disposal of the case, on the ground that pendency of the prosecution may adversely affect his service benefits when he has not much period to retire on superannuation. Of course, the petitioner's grievance will have to be considered as genuine by the trial court. If the case is not disposed of, or if the prosecution against him is not cleared before he retires from service, there is possibility of his benefits being affected. In such a situation, it would be only appropriate to direct the court below to dispose of the case at the earliest. However, direction for a time bound disposal is not appropriate when the court of Judicial First Class Magistrate, Chalakudy is a heavy court where the pendency is huge.

In the result, this petition is closed with direction to the court below that if application is made by the petitioner for speedy trial and disposal of C.C.No.517/2014, on the ground that he is due to retire from service next year, the same shall be seriously considered, and earnest efforts shall be made to try and dispose of the case at the earliest.

Sd/-

P. UBAID, JUDGE

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