

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

Crl.MC.No. 167 of 2015 ()

**IN CC 1776/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT- I, ALUVA
CRIME NO. 155/2007 OF CHENGAMANAD POLICE STATION , ERNAKULAM**

PETITIONER(S)/ACCUSED:

**ABDUL MAJEED AGED 48 YEARS
S/O. BACKER, ERUVANIMMAL HOUSE, NARIPETTA P.O.
CHEKKONE, KOZHIKODE - 673 506.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. THE SUB INSPECTOR OF POLICE
CHENGAMANAD POLICE STATION - 683 578**
- 2. STATE OF KERALA
REP. BY PUBLIC PROSEUCTOR, HIGH COURT OF KERALA
ERNAKULAM - 682 031.**
- 3. SUPERINTENDENT OF POLICE (PRO)
IMMIGRATION WING, CIAL, NEDUMBASSERY - 683 585.**
- 4. CIRCLE INSPECTOR OF POLICE
IMMIGRATION WING, CIAL, NEDUMBASSERY - 683 585.**

R BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 10-02-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 167 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**A1 - COPY OF THE COMPLAINT DT. 07.3.07 AND THE INVENTORY PREPARED BY THE
SUB INSPECTOR OF POLICE.**

A2 - TRUE COPY OF THE FIRST INFORMATION REPORT IN CR.NO.155/2007.

A3 - TRUE COPY OF THE FINAL REPORT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No. 167 of 2015

Dated this the 10th day of February, 2015.

O R D E R

The petitioner herein is the sole accused in C.C No. 1776 of 2014 of the Judicial First Class Magistrate Court -I, Aluva. Crime in this case was registered by the police in 2007, and the final report was submitted in 2013. However cognizance was taken by the learned Magistrate in 2014. The petitioner seeks orders quashing the prosecution on the ground of delay on the part of the police in submitting final report. Admittedly, the prosecution was brought well within time. Cognizance is admittedly not barred under any law. Of course, it is true that the police took 7 years to submit final report in court. But at the same time, the final report is well within the time, or within the period of limitation prescribed under the law, and cognizance is not otherwise barred also. In such a situation, the prosecution cannot be quashed by this court under Section 482 Cr.P.C on the ground of delay in submitting final report. Now the learned counsel makes a request to direct the trial court to expedite trial of the case. Of course, such a direction can be given. Considering the fact that the crime was registered long back in

2007, the trial court will have to make earnest efforts to dispose of the case at the earliest.

In the result, this Crl.M.C is dismissed. However, the court below is directed that earnest efforts shall be made to try and dispose of C.C No. 1776 of 2014 at the earliest.

P.UBAID,
JUDGE

sab