

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

Cr1.MC.No. 269 of 2015

IN CC 1555/2008 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT
I, CHERTHALA

PETITIONER/ACCUSED:

HASEENA,
SEENA BHAVANAM, MADAPALLY, CHANGANASSERRY,
KOTTAYAM DISTRICT

BY ADVS.SRI.V.PREMCHAND
SRI.V.TEKCHAND

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM

BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 269 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNX A1- COPY OF THE B DIARY IN RESPECT OF C C NO.1555/2008
BEFORE THE JUDICIAL MAGISTRATE OF FIRST CLASS 1, CHERTHALA

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

ab

P.UBAID, J.

Crl.M.C No.269 of 2015

Dated this the 15th day of January, 2015

O R D E R

The petitioner herein is the sole accused in C.C No.1555/2008 before the Judicial First Class Magistrate Court I, Cherthala. She seeks a direction from this Court under Section 482 of the Code of Criminal Procedure for expeditious disposal of the case within a time limit fixed by this Court. The petitioner does not explain why such a direction should be given to the court below. The petition shows that trial in the case is in fact mid-way. The learned Magistrate has already examined some material witnesses. At this stage, when trial is going on, it would be inappropriate for this Court to intrude into the trial process under Section 482 of the Code of Criminal Procedure and give direction to the trial court. This Court can make such interference only if the trial court has proceeded for any unnecessary or improper or illegal procedure or measures. Even according to the petitioner there was an application by the defacto complainant for further investigation, and that proceeding was closed by this Court only in October 2014. I do

not find any reason to blame the trial court for the delay in the process. Of course trial in a prosecution like this, involving serious offences and so many documents, will take its own time. I feel that, with an observation that the learned Magistrate will have to make earnest efforts for speedy disposal, this petition can be closed.

In the result, this Criminal Miscellaneous Case is closed with observation that in the particular facts and circumstances earnest efforts will have to be made by the learned Magistrate to try and dispose of the case as expeditiously possible.

**P.UBAID
JUDGE**

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