

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ALEXANDER THOMAS

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Crl.MC.No.672 of 2015

CRIME NO.43/2006 OF KATTAKADA POLICE STATION,THIRUVANANDAPURAM.

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PETITIONER'S/ACCUSED 12 & 15:

- 1. REJI,S/O.RAJASEKHARAN NAIR,AGED 35 YEARS,
RESMI NIVAS,KILLI,KATTAKKADA P.O.,
KULATHUMMAL VILLAGE,THIRUVANANTHAPURAM (A12).**
- 2. PRASANTH,S/O.SOMAN NAIR,AGED 35 YEARS,
VARUVILAKATHU VEEDU,ARYANAD P.O.
ARYANAD VILLAGE,THIRUVANANTHAPURAM (A15)**

BY ADV.SRI.AYYAPPAN SANKAR

RESPONDENT'S/STATE & DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE,
KATTAKKADA POLICE STATION,KATTAKKADA,
THIRUVANANTHAPURAM - 691 051.**

BY PUBLIC PROSECUTOR SMT.S.HYMA.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S ANNEXURES:

- A1 - CERTIFIED TRUE COPY OF THE F.I.R IN CRIME NO.403/2006 OF KATTAKKADA POLICE STATION, THIRUVANANTHAPURAM DISTRICT.**
- A2 - CERTIFIED TRUE COPY OF THE SCENE MAHAZAR CRIME NO.403/2006 OF KATTAKKADA POLICE STATION, THIRUVANANTHAPURAM DISTRICT.**
- A3 - CERTIFIED TRUE COPY OF THE REMAND APPLICATION DT. 16.10.06 SUBMITTED BY THE SUB-INSPECTOR OF POLICE, KATTAKKADA POLICE STATION, THIRUVANANTHAPURAM DISTRICT.**
- A4 - CERTIFIED TRUE COPY OF THE REPORT DT. 18.10.06 FROM THE KATTAKKADA POLICE STATION SUBMITTED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, KATTAKKADA.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S TO JUDGE

pk

ALEXANDER THOMAS, J.

CrI.M.C.No.672 Of 2015

Dated this the 9th day of June, 2015.

ORDER

The prayer in the above captioned CrI.M.C is as follows:

“..... to call for the records in Crime No.403/2006 of Kattakkada Police Station, Thiruvananthapuram District and to quash Annexure-1 F.I.R. and all further proceedings thereon or pass such other orders for the ends of justice.”

2. Now it is submitted by both sides that on 19.2.2015, the police after completion of the investigation has filed the Final Report/Charge Sheet in the impugned Annexure-A1 FIR in Crime No.403/2006 of Kattakkada Police Station, Thiruvananthapuram District which has now led to the pendency of committal proceedings, C.P.No.27/2015 on the file of the Judicial First Class Magistrate Court, Kattakkada. The limited prayer made by the learned counsel for the petitioners is that necessary direction may be given by this Court to the learned Magistrate concerned to ensure that orders on committal to the Sessions Court may be passed without further delay.

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3. Accordingly, it is ordered in the interest of justice that in case the aforementioned jurisdictional Magistrate concerned has not yet passed orders in the matter of commitment of the case, then the court below concerned will endeavour to pass necessary orders committing the case to the Sessions Court concerned without any further delay.

4. Sri.Ayyappan Sankar, learned counsel for the petitioners, submits that the Crl.M.C may be closed with liberty to the petitioners to workout their remedies in accordance with law including to approach this Court if necessary for direction at the appropriate stage in the matter of conclusion of the sessions trial.

In view of the aforementioned aspects, the Crl.M.C stands finally disposed of with the aforementioned liberty to the petitioners.

ALEXANDER THOMAS,
Judge.

bkn/-