

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

Crl.MC.No. 719 of 2015 ()

**CC 932/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, NEDUMANGAD
CRIME NO. 48/2013 OF ARYANAD POLICE STATION , THIRUVANANDAPURAM DISTRICT**
=====

PETITIONER/ACCUSED NO.3:

**SRI.SAMEER, AGED 22 YEARS
S/O NAZEER, SURMI MANZIL, PARANDODE PO
THOLICODE VILLAGE, NEDUMANGAD TALUK
THIRUVANANTHAPURAM DISTRICT, PIN-695 542**

BY ADV. SRI.R.B.RAJESH

RESPONDENT/STATE:

**THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-31**

BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18-02-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 719 of 2015 ()

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE 1: CERTIFIED COPY OF THE FINAL CHARGE IN CRIME NO 48/2013 OF
ARYANAD POLICE STATION (C.C.NO.932/2013) PENDING DISPOSAL
BEFORE THE J.F.MC.-1, NERDUMANGAD**

RESPONDENT'S EXHIBITS

NIL

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

SD

P. UBAID, J.

Crl.M.C.No.719 of 2015

Dated this the 18th day of February, 2015

O R D E R

The petitioner herein is the 3rd accused in C.C.No.932/2013 of the Judicial First Class Magistrate Court-I, Nedumangad. He seeks a direction for speedy disposal of the case within a time frame fixed by the court, on the ground that he wants to go abroad for employment. It is not known whether he has obtained visa to go abroad. As required by the court, the learned Magistrate submitted a report that the 1st accused in the case is yet to make appearance. There is warrant of arrest pending against the 1st accused, but the others have made appearance and obtained bail. Prosecution has cited five witnesses in the case. Of them two are police constables, one is an attessor to the scene mahazar, one is an independent occurrence witness, and the fifth one is the Sub Inspector of Police who registered the crime. The learned Magistrate has reported that the present pendency is 5093 cases, and that six months time is required to complete the trial. As already observed, it is not known whether the petitioner has in fact obtained visa to go abroad. Any way, if

he has urgency, and if his grievance is genuine, he can very well approach the trial court, and make request for speedy trial. If the presence of the 1st accused cannot be procured in the immediate future, the court can think of splitting up his case. Any way, the petitioner will have to convince the learned Magistrate that he has good prospects for job abroad, and that he has obtained visa, or that he expects such a visa within a short time. The report of the learned Magistrate is recorded, that the case could be disposed of within six months,

With the above observations, this Crl.M.C. is closed.

Sd/-
P. UBAID, JUDGE

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