

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937**

**Crl.MC.No. 2079 of 2015**  
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**C.M.P.NO.1726 OF 2014 IN CRL.APPEAL NO.558/2012 OF THE HON'BLE DISTRICT  
& SESSIONS COURT, THIRUVANANTHAPURAM**  
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**PETITIONER(S)/PETITIONER:**  
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**GERRY DOUGLAS, AGED 42 YEARS,  
S/O.MR.K.SAMUEL, KUNNAMPALLIL HOUSE, MULAMPUZHA,  
PANDALAM P.O., PATHANAMTHITTA DISTRICT,  
NOW RESIDING AT KUWAIT.**

**BY ADV. SRI.L.RAJESH NARAYAN**

**RESPONDENT(S)/RESPONDENT :**  
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- 1. SONY GERRY, AGED 40 YEARS,  
D/O.LATE E.O.ANTONY, HOUSE NO.4, ELUVATHAINGAL,  
KESAVADASAPURAM, THIRUVANANTHAPURAM-695 004.**
- 2. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**R2 BY PUBLIC PROSECUTOR SMT.R.REMA**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD  
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd

**APPENDIX**

**PETITIONER(S)' ANNEXURES**

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**ANNEXURE A :** TRUE COPY OF THE ORDER OF THE ADDL. CHIEF JUDICIAL  
MAGISTRATE, THIRUVANANTHAPURAM, DATED 18.08.2012  
IN M.C.NO.67/2010.

**ANNEXURE B :** TRUE COPY OF THE AFFIDAVIT AND PETITION AS  
C.M.P. NO.1726 OF 2014.

**RESPONDENT(S)' ANNEXURES**

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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE**

Msd

**K. ABRAHAM MATHEW, J.**

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**Crl. M.C. No. 2079 of 2015**

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Dated this the 15<sup>th</sup> day of June, 2015

**ORDER**

Petition filed under section 482 Cr.P.C.

2. Petitioner is the appellant in Criminal Appeal No. 558 of 2012 which arose from the order passed in M.C. 67 of 2010 filed under Section 12 of the P.W.D.V. Act. In the appeal he has produced certain documents along with an application to receive them. His complaint is that the learned Sessions Judge has not passed any order on it.

3. If the petitioner has filed an application under Section 391 Cr.P.C, the Sessions Judge shall consider it on merits when the appeal is heard.

In the result, this Crl.M.C. disposed of with a direction to the learned Sessions Judge to consider the application that is said to have been filed by the petitioner under Section 391 Cr.P.C.

Sd/-

**K. ABRAHAM MATHEW,  
JUDGE**

DST

//True copy//

P.A. To Judge