

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 3311 of 2015

**CC 2281/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, THRISSUR
CRIME NO. 549/2012 OF ANTHIKADPOLICE STATION , TRISSUR**

PETITIONER(S)/ACCUSED:

**SHAMIN P.A, AGED 32 YEARS,
S/O.ARAVINDAKSHA P.A., PONNARAMBIL HOUSE, PADIYAM P.O.
MUTTICHUR, TRISSUR-680641.**

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHINM-682031.**
- 2. SUB INSPECTOR OF POLICE,
ANTHIKAD POLICE STATION, ANTHIKAD P.O.
THRISSUR DISTRICT, PIN 680641.**
- 3. VINAN.K.G.
S/O.GANGADHARAN, KARANATH HOUSE, MUTTICHUR DESOM,
PADIYAM P.O., THRISSUR DISTRICT, PIN 680645.**

R1 & 2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE-A1: A CERTIFIED COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.549/2012 DT.17.5.2012 ON THE FILES OF ANTHIKADU POLICE STATION.

ANNEXURE-A2: A CERTIFIED COPY OF THE FINAL REPORT FILED BY THE POLICE BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT NO.II THRISSUR IN FIR NO.549/2012 DATED 18.7.2012.

ANNEXURE-A3: A TRUE COPY OF STATEMENT SHOWING THE POSTING OF THE CASE IN CC NO.2281/2012.

ANNEXURE-A4: A TRUE COPY OF THE SHARE CERTIFICATE ISSUED BY THE BIZARRE BUSINESS CORPORATION DATED 16.3.2011.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

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Dated this the 24th day of June, 2015.

ORDER

This Court has earlier made it clear that prayer No.2 for speedy disposal of the main matter pending before the court below could be considered and for that purpose this Court directed the Registry to get a report from the Judicial First Class Magistrate Court-II, Thrissur as to the present stage of the case and the reasonable time required for disposal of C.C.No.2281/2012.

2. In compliance with the direction issued by this Court, the Judicial First Class Magistrate Court-II, Thrissur has furnished a report dated 20.6.2015 to the Registry of this Court wherein it is stated that on appearance of the accused, the case was posted for evidence and summons was issued to the defacto complainant. Though the matter was also posted before the Adalat, the matter could not be settled in the Adalat. Since the defacto complainant did not turn up before the court below arrest warrant was issued to

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him on 16.4.2015. Now warrant is pending against CW1 (defacto complainant) and the case stands posted to 14.7.2015 for evidence and that minimum time frame of at least four months is required for the disposal of C.C.No.2281/2012, as more than 5179 cases are pending before this court as on the end of May, 2015.

3. The learned Public Prosecutor submitted on instructions that CW1 (defacto complainant) has informed the Investigating Officer that he would appear before the court below on 14.7.2015 itself.

4. On a consideration of the totality of the facts and circumstances of this case and on a perusal of the report dated 20.6.2015, it is ordered in the interest of justice that the Judicial First Class Magistrate Court-II, Thrissur will take all reasonable endeavour possible under the circumstances to ensure that the calendar case C.C.No.2281/2012 is disposed of without much delay and all efforts may be taken to ensure that the case is disposed of within the time limit suggested by the court below in the above said report. However, this will be subject to the condition that all

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concerned including the defacto complainant should fully co-operate with the smooth conduct of the trial and in case the defacto complainant does not appear on 14.7.2015, then it is for the court below to reschedule the matter in its discretion.

With these observations and directions, this Crl.M.C stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-