

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Crl.MC.No. 3411 of 2015

**C.M.P.NO.2135/15 IN MC.NO.41/2015 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, MAVELIKARA**
.....

PETITIONER(S):

**SOBHANAKUMARI AMMA T., AGED 49 YEARS,
D/O.NEELAKANDAN NAIR, BHAVANAYIL, KARIKULAKKAL MURI,
KOMALLOOR, CHUNAKARA, MAVELIKARA TALUK,
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE**

RESPONDENT(S):

- 1. VIJAYAN PILLAI B., AGED 53 YEARS,
S/O.GOPALAKURUP, T.C.68/410, KALPAKASSERI LANE,
VIJAYANIVAS, THIRUVALLAM (P.O.),
THIRUVANANTHAPURAM DISTRICT, PIN 695 001.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN 682 031.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
08-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 3411 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE-A1:TRUE COPY OF THE M.C.NO.41/2015 ON THE FILE OF THE HON'BLE JFCM-I, MAVELIKARA.

ANNEXURE-A2:THE TRUE COPY OF THE RELEVANT PORTION C.M.P.NO.2135/2015 IN M.C.NO.41/2015 ON THE FILES OF THE HON'BLE JFCM-I, MAVELIKARA.

ANNEXURE-A3:THE TRUE COPY OF THE ORDER DT.07.04.2015 IN C.M.P.NO.2135/2015 IN M.C.NO.41/2015, THE HON'BLE JFCM-I, MAVELIKARA.

ANNEXURE-A4:THE TRUE COPY OF THE ORDER DT.06.06.2015 IN C.M.P.NO.2135/2015 IN M.C.NO.41/2015, THE HON'BLE JFCM-1,MAVELIKARA.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3411 of 2015

Dated this the 8th day of June 2015

ORDER

Petition filed under Sec.482 Cr.P.C.

2. This Criminal M.C. has been filed challenging the order passed by the learned Magistrate in Crl. M.P. No.2135 of 2015 in M.C. No.41 of 2015 on the file of the Judicial First Class Magistrate Court-I, Mavelikkara. Admittedly an appeal is maintainable. The submission is that the appeal has to be filed in Sessions Court, Alappuzha and thereafter it has to be made over to the Additional Sessions Court, Mavelikkara and it may take some time. The apprehension is that the respondents will alienate the property by the time the appeal is taken up by the Court concerned. But that will not make this Crl.M.C. maintainable.

In the result, this Crl.M.C. is disposed of.

It is made clear that if the respondent alienates the property in Annexure A3 it will be subject to the result of the appeal that may be filed by the petitioner.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge