

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Cri.MC.No. 3640 of 2015 ()

PETITIONER(S)/PETITIONER/7TH ACCUSED:

**M.O.THOMAS, AGED 51,
S/O.LATE OONNUNNY, MAMKUNNEL HOUSE, EDAVAKA POST,
PRESENTLY RESIDING AT STERLING APARTMENTS,
KAIPPANCHERRY, SULTAN BATHERY, WAYANADU DISTRICT.**

**BY ADVS.SRI.VARGHESE C.KURIAKOSE
SRI.P.V.VARGHESE (KANJIRAMATTOM)**

RESPONDENT(S)/RESPONDENTS/COMPLAINANT:

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE DETECTIVE INSPECTOR,
CBCID, OSW IV, SUB UNIT,
KOZHIKODE-673 001.**

R BY PUBLIC PROSECUTOR SMT.SAREENA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
29-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

AD

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE-A1 TRUE PHOTOCOPY OF THE FIRST INFORMATION REPORT
REGISTERED BY THE THRUNELLI POLICE**
- ANNEXURE-A2 TRUE PHOTOCOPY OF THE STATEMENTS GIVEN BY CW6 BEFORE
CIRCLE INSPECTOR OF POLICE THIRUNELLI**
- ANNEXURE-A3 TRUE PHOTOCOPY OF THE STATEMENTS GIVEN BY CW7 BEFORE
CIRCLE INSPECTOR OF POLICE THIRUNELLI**
- ANNEXURE-A4 TRUE PHOTOCOPY OF THE STATEMENT GIVEN BY CW6 JOSE
THOMAS ON 22.08.2008 BEFORE SPECIAL BRANCH**
- ANNEXURE-A5 TRUE PHOTOCOPY OF THE STATEMENT GIVEN BY CW7 ON
22.08.2008 BEFORE SPECIAL BRANCH**
- ANNEXURE-A6 TRUE PHOTOCOPY OF THE ORDER DATED 23.03.2015 CANCELLING
THE DOCUMENT**
- ANNEXURE-A7 TRUE PHOTOCOPY OF THE CHARGE SHEET ISSUED BY DETECTIVE
INSPECTOR,CBCID,KOZHIKODE**
- ANNEXURE-A8 TRUE PHOTOCOPY OF THE APPLICATION UNDER SECTION 227 OF
THE CODE OF CRIMINAL PROCEDURE AS CRL.M.P.722/2015 SEEKING
DISCHARGE**
- ANNEXURE-A9 CERTIFIED COPY OF THE ORDER DATED 25.05.2015 IN
CRL.M.P.722/2015 BEFORE THE ADDL.DISTRICT & SESSIONS
COURT,KALPETTA.**
- ANNEXURE-A10 TRUE COPY OF THE COMMON ORDER DATED 30.04.2008 PASSED
BY FOREST TRIBUNAL KOZHIKODE IN O.A.NO.63/01, 64/01, 1/02 AND
2/02 FILED BY LAKSHMI & CHILDREN**
- ANNEXURE-A11 TRUE COPY OF THE COMMON ORDER DATED 27.11.2014 PASSED BY
FOREST TRIBUNAL KOZHIKODE IN O.A NO.15/07, 6/08, 7/08, 8/08 &
9/08 FILED BY MINI SEBASTIAN AND OTHERS**
- ANNEXURE-A12 TRUE COPY OF THE O.A. NO.25608/2008 DATED 21.04.2008 FILED
BEFORE THE KERALA AGRICULTURAL DEBTS RELIEF COMMISSION.**
- ANNEXURE-A13 TRUE COPY OF THE PRIVATE COMPLAINT DATED 28.04.2008
REGISTERED AS CRIME NO.45/08 OF THIRUNELLI POLICE STATION
WHICH WAS RENUMBERED AS CBCID CR.NO.237/08 AND WHICH
WAS LATER REFERRED AS ONE OF MISTAKE OF FACTS.**

**ANNEXURE-A14 TRUE COPY OF THE SALE DEED NO.2061/2006 SRO
MANANTHAVADY DATED 31.08.2006 EXECUTED BY LAKSHMI IN
FAVOUR OF DENNIS JOY**

**ANNEXURE-A15 TRUE COPY OF THE AGREEMENT DATED 31.08.2006 ENTERED INTO
BETWEEN C.J.JOY & CHANDRAN SUBSEQUENT TO THE EXECUTION
OF THE SALE DEED**

**ANNEXURE-A16 TRUE COPY OF THE PLAINT IN O.S.NO.61/08 ON THE FILES OF
MUNSIFF'S COURT MANANTHAVADY**

**ANNEXURE-A17 TRUE COPY OF THE COMMISSION REPORT DATED 12.05.2008 FILED
BY ADVOCATE COMMISSIONER MR.K.K.RAMESH, IN O.S.NO.61/08
ON THE FILES OF MUNSIFF'S COURT MANANTHAVADY**

**ANNEXURE-A18 TRUE COPY OF THE PRIVATE COMPLAINT DATED 14.09.2008
SUBMITTED BY B.RAJU, S/O LAKSHMI, REGISTERED AS CRIME
NO.114/08 ON THE FILES OF THIRUNELLI POLICE STATION**

**ANNEXURE-A19 TRUE COPY OF THE LETTER NO.L 6263/94 DATED 12.08.2005 FROM
THE DFO NORTH WAYANAD TO THE SRO MANANTHAVADY**

**ANNEXURE-A20 TRUE COPY OF THE LETTER DATED 01.09.2005 BY SRO
MANANTHAVADY TO THE DISTRICT REGISTRAR, WAYANAD
INFORMING NO REGISTRATION WILL BE DONE IN RESPECT OF THE
PROPERTIES UNTIL FURTHER INSTRUCTION**

**ANNEXURE-A21 TRUE COPY OF THE JUDGMENT DATED 14.11.2012 IN WP(C)
15851/12 (F) ON THE FILES OF HON'BLE HIGH COURT OF KERALA
FILED BY PRASOBHITHAN**

**ANNEXURE-A22 TRUE COPY OF THE JUDGMENT DATED 01.10.2014 IN WP(C)
22787/14 (W) ON THE FILES OF HON'BLE HIGH COURT OF KERALA
FILED BY PRASOBHITHAN**

**ANNEXURE-A23 TRUE COPY OF THE NOTICE NO.G.SMC.4/2002/MTDY DATED
30.04.2014 ISSUED BY REVENUE DIVISIONAL OFFICER TO
B.CHANDRAN**

**ANNEXURE-A24 TRUE COPY OF THE CRP2/09 AND I.A NO.2788/2011 DATED
28.10.2011 IN THE SAID CRP FILED BY STATE OF KERALA AGAINST
LAKSHMI**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

AD

B.KEMAL PASHA, J.

Crl.M.C.No.3640 of 2015

Dated this the 29th day of October, 2015

ORDER

It seems that presently the charges have been framed in the matter by the Court below. In such case, the petitioner, if so advised can challenge the said order through a criminal revision. With liberty to the petitioner to challenge the proceedings through a criminal revision, this Crl.M.C is closed.

Sd/-
B.KEMAL PASHA
JUDGE

AD/29/10/15