

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

Crl.MC.No. 3654 of 2015 ()

CMP. NO.1759/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM
CRIME NO. 1027/2014 OF KONDOTTY POLICE STATION.

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PETITIONER/PETITIONER/DEFACTO COMPLAINANT:

ANWAR. P, AGED 37 YEARS,
S/O.POOVATHINGAL MUHAMMED,
MANGATTAYIL HOUSE, KUZHIMANNA,
POST KIZHISSERY, MALAPPURAM DISTRICT.

BY ADVS.SRI.R.SUDHISH,
SMT.M.MANJU.

RESPONDENT/RESPONDENT/COMPLAINANT:

STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
KONDOTTY POLICE STATION, MALAPPURAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.S. HYMA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

ALEXANDER THOMAS, J.

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Crl.M.C No. 3654 of 2015

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Dated this the 18th day of June, 2015

O R D E R

The prayer in this Crl.M.C is instituted under Sec. 482 of the Cr.P.C seeking invocation of this Court inherent power conferred thereunder is as follows:

“To direct the Judicial First Class Magistrate, Malappuram to dispose C.M.P No.1759 of 2015 in Crime No.1027 of 2014 of Kondotty Police Station pending before the Judicial First Class Magistrate Court, Malappuram within the time frame fixed by this Honourable Court.”

2. The petitioner has filed C.M.P No. 1759 of 2015 in crime No.1027/14 of Kondotty police station, Malappuram, filed under Section 451 of Code of Criminal Procedure for the interim custody of the vehicle bearing registration No.KL-10/AK-9206, which is now pending before the Judicial First Class Magistrate's Court, Malappuram. It is pointed out that the above petition was filed on 3.3.2015 and has been adjourned on various accounts and that on last posting date on 5.6.2015 petitioner's counsel appeared and pressed for hearing the matter to pass an appropriate order in the matter for interim custody of the vehicle. The court below, without

considering the request of the counsel, again adjourned the matter to 22.6.2015 for hearing. It is in the light of these circumstances that the petitioner has sought the aforementioned prayer.

3. Heard Sri. R. Sudhish, the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent, State of Kerala.

4. Taking into account, the totality of the facts and circumstances of the case and adverting to the fact that the petitioner's case is pending since 3.3.2015 on the court of the learned Magistrate, it is ordered in the interest of justice that in case no orders has not so far been passed on the said C.M.P No.1759 of 2015 in crime No. 1027 of 2014 of Kondotty Police Station, then the learned Magistrate will take up the matter for consideration without much delay in the said C.M.P and pass orders thereon after hearing both sides within a period of two weeks from the certified copy of this order.

With these observations and directions, this Cl.MC. Stand finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE

