

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Crl.MC.No. 3882 of 2015 ()

MC.NO. 149/2015 OF SUB DIVISIONAL MAGISTRATE COURT, FORT KOCHI

PETITIONER :

**JANEESH, AGED 31 YEARS,S/O.JAMES,
THOTTATHUSSERI HOUSE, SOUTH CHITTOOR.**

BY ADV. SRI.K.R.VINOD

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682 031**
- 2. THE SUB INSPECTOR OF POLICE,
CHERANALLOOR POLICE STATION,
CHERANALLOR-682 024**

BY PUBLIC PROSECUTOR SMT. S.HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-06-2015,ALONG WITH CRMC.NO.3888 OF 2015 AND CONNECTED
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 3882 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX AI: THE ORIGINAL ORDER SIGNED AND CERTIFIED BY THE SUB
 DIVISIONAL MAGISTRATE, FORT KOCHI IN MC.NO.149/2015 DATED
 26.05.2015**

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

Crl.M.C.Nos.3882, 3888, 3891, 3903,
3909 & 3635 Of 2015

Dated this the 26th day of June, 2015.

O R D E R

The matter in issue raised in these Criminal Miscellaneous Cases is covered against the respondents-State by the legal principles laid down by this Court in Santhosh v. State of Kerala reported in 2014(3) KLT 837 as well as the judgment dated 19.12.2014 of this Court rendered in the case Sajeesh.K v. State of Kerala in Crl.M.C.No.7259/2014 and connected cases reported in 2014 SCC Online Ker. 27899 dealing with similar impugned proceedings under Sec. 107 of the Cr.P.C. The impugned orders in these cases are similar or almost identical to the one considered in the above said reported rulings of this Court.

2. Accordingly, in tune with the directions issued by this Court in the said reported decisions, the impugned orders in these cases are quashed with liberty to the Sub Divisional Magistrate concerned to take fresh action, if actually necessary, after complying with all the statutory procedural requirements and after applying the legal

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Crl.M.C.Nos.3882, 3888, etc.,

principles laid down in the aforementioned reported rulings of this Court and in accordance with law.

3. With these observations and directions, the Crl.M.Cs stand finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-