

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Crl.MC.No. 4010 of 2015 ()

**CC.NO. 379/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I, OTTAPPALAM
CRIME NO. 558/2014 OF OTTAPPALAM POLICE STATION , PALAKKAD DISTRICT**

PETITIONER/ACCUSED NO.2:

**LALSON JOSE, AGED 35 YEARS,
S/O. JOSE MATHEW, RESIDING AT ARANJANIYIL HOUSE,
SHANTHI NAGAR COLONY, THIRUVILLUAMALA, THRISSUR.**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)
SRI.S.SREEKUMAR (KOLLAM)
SRI.ANIL ELGIN
SRI.S.VINCENT
SRI.S.JOSE**

RESPONDENT :

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE CIRCLE INSPECTOR OF POLICE,
OTTAPPALAM, PALAKAD DISTRICT.**

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 02-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

CRL.MC.NO.4010/2015

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEX A1** **COPY OF THE FIR IN CRIME NO.558/2014 OF OTTAPPALAM POLICE STATION.**
- ANNEX A2** **COPY OF THE FINAL REPORT IN CRIME NO.558 OF 2014 OF OTTAPPALAM POLICE STATION**
- ANNEX A3** **COPY OF THE AGREEMENT FOR SALE DATED 5/12/2013 BETWEEN THE FIRST ACCUSED AND THE DEFACTO COMPLAINANT.**
- ANNEX A4** **COPY OF THE SALE DEED 829 OF 2014 DATED 10/03/2014 EXECUTED BY THE DEFACTO COMPLAINANT IN FAVOUR OF THE FIRST ACCUSED.**

RESPONDENT'S ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

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Crl.M.C. No.4010 of 2015
.....

Dated this the 2nd day of September, 2015

ORDER

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Petitioner is the 2nd accused in C.C.379/2015 of the Judicial First Class Magistrate's Court, Ottapalam, which has arisen from Crime No.558/2014 of Ottapalam Police Station. It is the specific case of the petitioner that there is no evidence to reveal his complicity in the offences alleged. According to him, the allegations are against the 1st accused only and the petitioner has been falsely implicated in the case.

2. This Court has gone through the records produced. It is too premature to decide whether the petitioner is involved in the matter or not. It is a warrant trial. The petitioner has an opportunity to bring all these aspects to the notice of the court below at the stage of Sections 239

and 240 Cr.P.C. In the event of an application from the petitioner to that effect before the court below at the stage of Section 239 Cr.P.C., the court below shall consider the matter and pass appropriate orders.

With the said observations, this CrI.M.C. is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/02/09

// True Copy //

PA to Judge