

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Crl.MC.No. 4073 of 2015 ()

**(C.M.P. 1825/15 IN C.C.NO.420/12 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT NO.VI, KOZHIKODE)**

PETITIONER(S)/ACCUSED:

**C.P.CHANDRASEKHARAN,
S/O.LATE K.MADHAVAMENON,
AGED 64,
33/1716, APARNA LAW CHEMBERS,
VENNALA, P.O., KANIAPPILLY ROAD, CHAKKARAPARAMBA,
KOCHI 28.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH**

RESPONDENT(S)/COMPLAINANT:

- 1. MRS.LINCY,
AGED 38 YEARS,
W/O.SAJESH KUMAR, THIRUMALAYAM HOUSE, CHOYIKKUTTY ROAD,
MAKKADA P.O., KOZHIKKODE -638009.**
- 2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

R2 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

vmr.

Crl.MC.No. 4073 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A- THE TRUE COPY OF THE COMPLAINT, C.C.980/2011 DATED 26.11.2011
WITHOUT DOCUMENTS.**

**ANNEXURE B- THE TRUE COPY OF UNNUMBERED C.M.P NO.1825/2015 FILED BY THE
PETITIONER DATED 26.6.2015 PETITION FOR STAY.**

RESPONDENT(S)' ANNEXURES : NIL.

/TRUE COPY/

P.S.TO JUDGE

vmr.

ALEXANDER THOMAS, J.

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Crl.M.C.No. 4073 of 2015

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Dated this the 22nd day of July, 2015

O R D E R

The prayer in this Crl.M.C. is as follows:

“direct the J.F.M.C. Court No.VI, Kozhikode to pass order in C.M.P.No.1825/2015 in C.C.No.420/12 before passing judgment in C.C.No. 420/12 in the interest of justice.”

2. This Court as per order dated 2.7.2015 in this case had issued an interim order directing that all further proceedings in C.C.No.420/2012 on the file of the Judicial First Class Magistrate's Court No.VI, Kozhikode, shall stand deferred for the time being. The Registry was also directed to get a report from the Judicial First Class Magistrate's Court–VI, Kozhikode, as to the present stage of Anx.B Criminal Miscellaneous Petition No.1825/2015 dated 26.6.2015 filed in C.C.No.420/2012, as to whether orders have been passed thereon, etc.

3. Pursuant to this, the learned Magistrate has submitted a report dated 15.7.2015 to the Registry of this Court, wherein inter alia it is stated that orders on Criminal Miscellaneous Petition No. 1825/2015 have not yet been passed and that the same was earlier posted to 24.7.2015, on which date, the original case (C.C.No.

420/2012) was also posted.

4. Heard Sri.Shaju Purushothaman, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent State of Kerala.

5. Having regard to the totality of the facts and circumstances of this case and on a perusal of the aforestated report dated 15.7.2015 of the learned Magistrate, it is ordered in the interest of justice that all reasonable endeavours shall be taken by the learned Magistrate to ensure that Anx.B Criminal Miscellaneous Petition No.1825/2015 filed in C.C.No.420/2012 is taken up for consideration without further delay and after hearing both sides, necessary orders shall be passed thereon. This shall be done by the learned Magistrate well before the final disposal of the main Calendar Case. It is further ordered that orders on Anx.B Criminal Miscellaneous Petition shall be passed without any further delay, at any rate, within a period of two weeks from the date of production of a certified copy of this order.

With these observations and directions, the Crl.M.C. stands finally disposed of.

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///True copy///

Sd/-
ALEXANDER THOMAS, JUDGE
P.S. to Judge

