

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

CrI.MC.No. 4197 of 2015 ()

**CRMP 2173/2015 of ADDL. SESSIONS COURT, THRISSUR
CRIME NO. 310/2015 OF IRINJALAKUDA POLICE STATION, TRISSUR**

PETITIONER/CLAIM PETITIONER :

**JOY
ASARIPARAMBIL HOUSE, THUNDATHUMKADAVU,
VARAPPUZHA VILLAGE, N. PARAVUR TALUK,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.ANIL K.MOHAMMED
SRI.V.S.MANSOOR**

RESPONDENT: RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 4197 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A: A PHOTOCOPY OF THAT SALE AGREEMENT.

**ANNEXURE B: PHOTOCOPY OF REGISTRATION CERTIFICATE OF VEHICLE
BEARING NO.KL-22-8354.**

**ANNEXURE C: A TRUE COPY OF ORDER DATED 16.6.2015 IN CRL.M.P
NO.2173/2015 OF SESSIONS COURT, THRISSUR.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ALEXANDER THOMAS, J.

Crl.M.C.No.4197 Of 2015

Dated this the 11th day of August, 2015.

ORDER

The prayer in this Crl.M.C is for deletion of condition Nos.‘E’ and ‘H’ rendered in paragraph 5 of Anx-C order in Crl.M.P.No.2173/2015 dated 16.6.2015. The petitioner is not an accused in the impugned crime and that he is the registered owner of the vehicle in question.

2. Heard Sri.Anil K.Muhamed, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is permanently residing at Varappuzha, which is coming within the territorial limits of Station House Officer of the Varappuzha Police Station.

4. After hearing both sides, it is ordered in the interest of justice that the impugned condition ‘E’ shall stand modified and substituted by the condition that the vehicle shall not be taken outside the territorial limits of the State of Kerala. However, the

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same shall be substituted by the direction that the petitioner shall produce the vehicle before the SHO/Sub Inspector of Police, Varappuzha Police Station on 2nd Saturday of every month between 12:00 noon and 1:00 p.m. The SHO, Varappuzha will maintain a separate register in that regard and shall record the such monthly visits of the petitioner in that register and the details of the same shall be reported by the SHO, Varappuzha to the SHO, Irinjalakkuda (who is the Investigating Officer in the Crime) and if there is any violation of the conditions by the petitioner, the same shall also be immediately brought to the notice of the Station House Officer, Irinjalakuda for appropriate action in that regard. This shall be done until conclusion of the investigation and in case the retention of the condition is further necessary it will be open to the SHO, Irinjalakuda to insist for the same, which the petitioner shall comply with. However, if the petitioner then requires modification of any insistence, then it will be open to the petitioner to make appropriate application before the Sessions Court, Irinjalakuda, on such aspects at the appropriate stage.

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5. Impugned condition 'H' will stand deleted as condition 'A' already insist for execution of bond for Rs.5 Lakh with two solvent sureties for the like sum. It is made clear that all other conditions in the Anx-C order will remain unaltered.

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

ALEXANDER THOMAS,
Judge.

bkn/-