

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. 4436 of 2015

**PROCEEDINGS NO. J-2180/2014 DATED 27-06-2015 OF SUB COLLECTOR,
PERINTHALMANNA, MALAPPURAM**
.....

PETITIONER(S)/ACUSED:

**MRS.SAJITHA, AGED 43 YEARS,
W/O MELETHIL USMAN, POOLAMANNA P.O., TUVOOR,
PANDIKKAD, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.RAMAKUMAR (SR.)
SRI.S.M.PRASANTH
SRI.C.DINESH
SMT.JINNU SARA GEORGE**

RESPONDENT(S)/STATE:

- 1. THE SUB COLLECTOR/SUB DIVISIONAL MAGISTRATE,
PERINTHALMANNA, SUB COLLECTOR'S OFFICE,
PERINTHALMANNA P.O., MALAPPURAM DISTRICT-679 322.**
- 2. MR.T.H.HAMZA,
AGED NOT KNOWN TO THE PETITIONER, S/O AHAMMED,
NEECHIYODAN HOUSE, POOLAMANNA P.O., TUVOOR,
PANDIKKAD, MALAPPURAM DISTRICT-679 327.**
- 3. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**R1 & R3 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.P.VENUGOPAL**

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

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A: TRUE COPY OF THE NOTICE DATED 16.9.2013 ISSUED BY THE
IST RESPONDENT.**

**ANNEXURE B: TRUE COPY OF THE NOTICE DATED 7.10.2014 ISSUED BY THE
IST RESPONDENT.**

**ANNEXURE C: TRUE COPY OF THE REPLY SUBMITTED BY THE PETITIONER TO THE
IST RESPONDENT.**

**ANNEXURE D: TRUE COPY OF NOTICE DATED 27.6.2015 ISSUED BY THE
IST RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

.....
CRL. M.C. No. 4436 of 2015
.....

Dated this the 2nd day of September, 2015

ORDER

Annexure D order passed by the learned Sub Divisional Magistrate, Perinthalmanna is under challenge. Even though a complaint was received and proceedings were initiated under Section 133 Cr.P.C., the learned Sub Divisional Magistrate has passed Annexure D order, which *prima facie*, seems to be in the form of a final order.

2. Heard the learned counsel for the petitioner, learned counsel for the respondent and the learned Public Prosecutor.

3. The learned Sub Divisional Magistrate shall treat Annexure D order as an order passed under Section 133(1)

Cr.P.C. and shall proceed with the matter under Section 138 Cr.P.C. The parties shall appear before the court below on 28.09.2015. With the said direction, this Crl.M.C. is disposed of.

Sd/-
B. KEMAL PASHA, JUDGE.

ul/-

// True Copy //

PS to Judge