

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Crl.MC.No. 4545 of 2015

**CC 1612/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I, KANNUR
CRIME NO. 1009/2012 OF KANNUR TOWN, KANNUR**
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PETITIONER(S)/ACCUSED NO.3:

**SHAFEEQUE K., AGED 23 YEARS,
S/O. MUHAMMEDALI, KOLAYATH HOUSE, ARIYANKALLU,
NEAR ANGANA VADI, KAKKADAVU, PERUBATTA P.O.**

**BY ADVS.SRI.K.C.SANTHOSHKUMAR
SMT.K.K.CHANDRALEKHA**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
KANNUR TOWN POLICE STATION, KANNUR-670 001.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE-A CERTIFIED COPY OF THE F.I.R. AND FIRST INFORMATION STATEMENT
DATED 23.05.2012 REGISTERED BY THE KANNUR TOWN POLICE.**

**ANNEXURE-B CERTIFIED COPY OF THE FINAL REPORT DATED 25.08.2012
SUBMITTED BEFORE THE JUDICIAL 1ST CLASS MAGISTRATE,
KANNUR.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ALEXANDER THOMAS, J.

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Crl.M.C.No. 4545 of 2015

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Dated this the 5th day of August, 2015

O R D E R

The main prayer in this Crl.M.C. is for direction for expeditious completion of the trial in C.C.No.1612/2012 on the file of the Judicial First Class Magistrate's Court-I, Kannur

2. In compliance with this Court's order, the Judicial First Class Magistrate's Court-I, Kannur, has submitted a report dated 28.7.2015 to the Registry of this Court, in which, it is inter alia stated that it is expected that the case could be disposed of at least by 31st December, 2015.

3. Taking into account the facts and circumstances of the case, it is ordered in the interest of justice that the court below will take all reasonable endeavours possible under the circumstances to ensure that C.C.No.1612/2012 on the file of that court is taken up for consideration and disposal without much delay and it is hoped and expected that the court below will dispose of the matter at least by the end of December, 2015, as suggested in the report. However, it will be subject to the condition that all the parties concerned and the witnesses fully co-operate with the conduct and completion of

the trial.

4. The learned counsel for the petitioner submits that the petitioner has now secured an opportunity for employment in the gulf country and that necessary direction may be issued by this Court to the court below concerned to grant permission to travel abroad, as even going by the report of the learned Magistrate, time upto the end of December, 2015 is required for the completion of the trial in this case. It is made clear that it will be open to the petitioner to move an appropriate application for permission to travel abroad by producing relevant and credible materials to establish that the petitioner's need to travel abroad is bone fide and genuine and in that case, the court below will consider the said application in the light of the rulings of this Court as in Asok Kumar v. State of Kerala reported in 2009 (2) KLT 712, Mohammed Rafeek v. Union of India reported in 2011(3) KLT 117, Muhammed v. State of Kerala reported in 2012(4) KLT 655, etc., or any other appropriate rulings in that aspect of the matter.

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

