

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

Crl.MC.No. 4762 of 2015

**CC 439/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PAYYANNUR
CRIME NO. 176/2011 OF PAYYANNUR POLICE STATION, KANNUR**
.....

PETITIONER(S)/ACCUSED:

**MIYAS K., AGED 29 YEARS,
S/O.AHAMMED, KUNJIRATHIRA HOUSE, VAZHUVAKKAD,
NEAR RICE MILL, THEKKE THRIKKARIPPUR AMSOM,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.O.V.MANIPRASAD
SRI.JOSE ANTONY**

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
(SUB INSPECTOR OF POLICE, PAYYANNUR POLICE STATION,
CRIME NO.167/2011),
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. P.V.SANTHOSHKUMAR,
S/O.BALAN P.V., MANADAI HOUSE, NEAR FCI GODOWN,
PAYYANNUR TALUK, KANNUR DISTRICT-670 001.**

R1 BY PUBLIC PROSECUTOR SRI.GITHESH R.

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

msv/

**The lower court case number 'C.C.No.439/2011' occurring in the cause title of
final order dtd.11.8.2015 in Crl.M.C.No.4762/2015 is corrected and substituted as
'C.C.No.941/2014' as per order dtd.25.9.2015 in Crl.M.A.No.8825/2015 in
Crl.M.C.No.4762/2015.**

**SD/-
ASSISTANT REGISTRAR**

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APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE-A1. TRUE COPY OF THE FIR AND F.I. STATEMENT IN CRIME NO.176/2011
OF PAYYANNUR POLICE STATION.**

**ANNEXURE-A2. TRUE COPY OF THE CHARGE SHEET DATED 29/4/2011 IN CRIME
NO.176/2011 OF PAYYANNUR POLICE STATION.**

**ANNEXURE-A3. TRUE COPY OF THE COMPROMISE AGREEMENT ENTERED INTO
BETWEEN THE 1ST PETITIONER AND THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msv/

ALEXANDER THOMAS, J.

Crl.M.C.No.4762 Of 2015

Dated this the 11th day of August, 2015.

ORDER

The prayer in this Crl.M.C is for a direction to the Judicial Magistrate of the First Class, Payyannur to conduct trial and dispose of C.C.No.439/2011 expeditiously, within a time frame to be fixed by this Court.

2. In compliance with this Court's order, the Judicial First Class Magistrate's Court, Payyannur, has submitted a report dated 7.8.2015 to the Registry of this Court, in which, it is inter alia stated that the case in question can be disposed of in 4 months.

3. Heard Sri.O.V.Maniprasad, learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the 1st respondent State of Kerala.

4. Taking into account the facts and circumstances of this case, it is ordered in the interest of justice that the Judicial First Class Magistrate's Court, Payyannur will take all reasonable endeavours possible under the circumstances to ensure that C.C.No.439/2011 on the file of that court is taken up for consideration and disposal without

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much delay and it is hoped and expected that the court below will dispose of the matter at least within 4 months as suggested by the court below in the report. However, this will be subject to the condition that all the parties concerned including the accused and the witnesses fully co-operate with the expeditious conduct and completion of the trial.

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

ALEXANDER THOMAS,
Judge.

Bkn/-

“C.C.No.439/2011” occurring in the 3rd line of paragraph 1 and in the 4th line of paragraph 4 at page 1 of the final order dated 11/08/2015 in CrI.M.C 4762/2015 is corrected and substituted as “C.C.No.941/2014” vide order dated 25/09/2015 in CrI.M.A 8825/2015 in CrI.M.C 4762/2015.

Sd/-
Registrar (Judicial)