

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Crl.MC.No. 4933 of 2015

**CC 24/2013 of J.M.F.C.-I, VARKALA IN CRIME NO. 637/2012 OF
VARKALA POLICE STATION , THIRUVANANDAPURAM**

PETITIONER/ACCUSED:

**BIJU VIJAYAN, AGED 37 YEARS,
S/O. VIJAYAN, NANDANAM, THACHANKONAM,
CHENIKUNNAM, VARKALA.**

**BY ADVS. SRI. E.S. ASHRAF
SRI. JOHNSON BENNET**

RESPONDENT(S)/RESPONDENT:

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SHAILAN, AGED 36 YEARS,
S/O. GANESHAN ASARI, LINJINI NIVAS, MELVETTOOR
VARKALA, THIRUVANANTHAPURAM - 695 312.**

R1 BY PUBLIC PROSECUTOR SMT. P. MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18-08-
2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1 : TRUE COPY OF THE PRIVATE COMPLAINT DTD. 24.05.2012.

ANNEXURE A2 : TRUE COPY OF THE FIR DTD. 12.06.2012.

ANNEXURE A3 : TRUE COPY OF THE FINAL REPORT DTD. 02.08.2012.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

ALEXANDER THOMAS, J.

Crl.M.C. No.4933 of 2015

Dated this the 18th day of August, 2015

O R D E R

With the prayer in this Crl. M.C is as follows:

“...to quash the proceedings in C.C.No.24/13 pending in the files of Judicial First Class Magistrate-I Court, Varkala or in the alternate direct the court below to dispose off the case as expeditiously within a stipulated time.”

2. This Court had directed, the Registry to obtain a report from the Judicial First Class Magistrate Court-I, Varkala about the present stage and the reasonable time required for the final disposal of CC No. 24/13 on the file of the JFMC-I, Varkala.

3. In compliance with the said direction the Judicial First Class Magistrate Court-I, Varkala report dated 11.08.2015 to the Registry of this Court wherein stated that now the cases posted to 18.11.2015 and that there are about 9338 cases pending before that Court and if this Court so directs the Court below will undertake to dispose of CC No. 24/13 within a reasonable time.

Though this Court had ordered that the time frame in this regard required by this Court stated in the report, the report is rather silent on that aspect and it is only made clear that the Court below is enable to dispose the case within a reasonable time.

4. Heard Sri. E.S. Ashraf, learned counsel for the petitioner and the learned public prosecutor for State of Kerala.

5. Taking into account the totality of the facts in this case it is ordered to the Judicial First Class Magistrate Court-I, Varkala will take all possible circumstances to ensure that CC No. 24/2013 is taken up for consideration without any further delay and it will be open to the Court below to preclude the proceedings of the case from the present notified date 18.11.2015 to an earlier day in the manner which shall proper by the Court below. It is hoped and expected that the Court below will endeavor the final dispose of the case without much delay and reasonable efforts must taken so as to ensure CC No. 24/2013 is finally disposed of at least within a period of 6 to 8 months, provided all the parties, witnesses etc. fully

corporate with the conduct and completion of the entire trial process.

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

Sd/-
ALEXANDER THOMAS
JUDGE

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