

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Crl.MC.No. 4948 of 2015 ()

**CMP 2451/2012 IN CC NO. 398/2009 OF ADDL. CHIEF MAGISTRATE COURT,
THIRUVANANTHAPURAM**

PETITIONER/PETITIONER :

**NINA REMANAND, AGED 43 YEARS,
W/O. REMANAND SUDHIR, 'MATHRU NILAYAM', KP 11/551
SNRA 38/C, N.C.C.ROAD, PEROORKADA,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.NAIR AJAY KRISHNAN
SRI.R.T.PRADEEP
SMT.M.BINDUDAS**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.C. RASHEED

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-09-2015, ALONG WITH OPCR. 234/2015, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:**

bp

Crl.MC.No. 4948 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE I: COPY OF CMP NO. 2451/2012 DT 19/7/2012 WITHOUT ENCLOSURES.

ANNEXURE II: COPY OF REPORT OF INVESTIGATING OFFICER WHICH IS NIL DT

**ANNEXURE III: CERTIFIED COPY OF ORDER DT 4/3/2014 IN CMP NO. 2451/2012 IN CC
NO. 398/2009 BY ADDITIONAL CJM, THIRUVANANTHAPURAM.**

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B.KEMAL PASHA, J.

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Crl.M.C. No. 4948 & O.P.(Crl.) No.234 of 2015

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Dated this the 30th day of September, 2015

ORDER

The petitioner is an account holder with M/s. Axis Bank, Palai. According to the petitioner, her account has been illegally frozen in connection with the matter involved in C.C No.398/2009 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram. Similarly, according to the petitioners, in O.P.(Crl.) No.234/2015, they are also operating an account in Axis Bank, Palai and the said account has also been frozen in connection with the matter involved in C.C No.398/2009 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram.

2. The petitioners had approached the court below for the removal of the freezing of the accounts. The court below had dismissed those petitions through Annexure III

produced in Crl.M.C.No.4948/2015 and Ext.P8 produced in O.P.(Crl.) No.234/2015.

3. Heard the learned counsel for the petitioners and the learned Senior Public Prosecutor. The records were perused. On going through the records, this Court does not find anything to interfere with the aforesaid Annexure-III order as well as Ext.P8 order passed by the court below. It seems that the prosecution has collected prima facie materials to show that the amounts in the said account were flown from the 10th accused in the case. Of course, the same has to be established through evidence. Matters being so, this Crl.M.C as well as O.P (Crl.) are devoid of merits and are only to be dismissed.

In the result, Crl.M.C and O.P (Crl.) are dismissed. The court below is directed to dispose of C.C No.398/2009 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram, expeditiously.

Sd/-
B.KEMAL PASHA, JUDGE

Crl.M.C. No. 4948 and O.P.(Crl.) No.234 of 2015