

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Crl.MC.No. 5064 of 2015

**S.C.NO.440/2006 OF ADDITIONAL DISTRICT COURT (ADHOC), THRISSUR
C.P.NO.94/2001 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, IRINJALAKUDA
CRIME NO. 437/1999 OF IRINJALAKUDA POLICE STATION , THRISSUR**

PETITIONER(S)/3RD ACCUSED :

**SUDHISHKUMAR, AGED 43 YEARS,
S/O.PALASSERIL VELAYUDHAN NAIR, CHETTIPADOM,
AMARAMBLAM, NILAMBUR.**

BY ADV. SRI.RAJIT

RESPONDENT(S)/STATE :

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

BY SRI.YOM JOSE PADINJAREKKARA, ADDITIONAL D.G.P

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A: TRUE COPY OF THE JUDGMENT DATED 30.01.2008 OF
THE ADDITIONAL SESSIONS JUDGE (ADHOC) FAST TRACK
NO.I, THRISSUR.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

ALEXANDER THOMAS, J.

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Crl.M.C.No. 5064 of 2015

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Dated this the 7th day of August, 2015

O R D E R

The prayer in this Crl.M.C. is for a direction from this Court to the Additional Sessions Court (Adhoc) Fast Track No.I, Thrissur, to permit the petitioner to receive the sentence pursuant to Anx.A judgment on the date of surrender.

2. It is the case of the petitioner that he was convicted as per Anx.A judgment dated 30.1.2008 of the Additional Sessions Court (Adhoc) Fast Track No.I, Thrissur, but did not receive the sentence on account of his absence at the time of the pronouncement of the judgment. That now the court below has issued a non-bailable warrant against him, etc. In light of these aspects that the petitioner endeavours to make the aforementioned prayer.

3. Heard Sri.Rajit, learned counsel appearing for the petitioner and Sri.Tom Jose Padinjarekkara, learned Addl. D.G. of Prosecution and Addl. State Public Prosecutor.

4. In the facts and circumstances of the case, it is ordered in the interest of justice that learned Additional Sessions Court (Adhoc) Fast Track No.I, Thrissur, will permit the petitioner to receive sentence pursuant to Anx.A judgment on the date of surrender itself, provided the petitioner surrenders before the said Court within a period of two weeks from the date of issuance of a certified copy of this order. The petitioner will also produce a certified copy of this order for perusal of the learned judge.

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