

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS**

**MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937**

**Crl.MC.No. 5122 of 2015**  
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**CMP NO.3201/2014 OF SESSIONS COURT, PATHANAMTHITTA**  
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**PETITIONER(S)/ACCUSED :**  
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**KUNJAMMA, AGED 45 YEARS,  
D/O.ALEYAMMA, PEEDIKAYIL VEEDU, NELLIMMOOTIPADY,  
KANNAMKODU, ADOOR.**

**BY ADV. SRI.S.SHAJAHAN (ADOOR)**

**RESPONDENT(S)/COMPLAINANT :**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN: 682 031.**

**BY PUBLIC PROSECUTOR SRI.R.GITHESH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 10-08-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' ANNEXURES :**

**ANNEXURE A1: COPY OF THE FIR IN CRIME NO.546/2013 OF ENATHU  
POLICE STATION.**

**ANNEXURE A2: COPY OF THE BAIL ORDER IN CMP NO.3201/14 OF  
THE SESSIONS COURT, PATHANAMTHITTA.**

**RESPONDENT(S)' ANNEXURES :**

**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

ALEXANDER THOMAS, J.

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Crl.M.C No.5122 of 2015

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Dated this the 10<sup>th</sup> day of August, 2015

O R D E R

The order under challenge is at Anx.All, which is almost non speaking order and does not show any proper reasons for rejecting the prayer made by the petitioner to enable her to travel abroad to “Jerusalem”, pilgrim center.

2. Heard Sri. S.Shajahan, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent State of Kerala.

3. As stated above, the impugned order at Anx.All does not show any proper reasons and it is a non speaking order, accordingly the same is set aside. It is made clear that the prayer of the petitioner shall be considered on merits in the light of the legal position settled by this Court in the rulings in Asok Kumar vs. State of Kerala [2009 (2) KLT 712]. For this purpose, the application of the petitioner in C.M.P No.5122/2015 will stand remitted back to the consideration of the Sessions Judge, Pathanamthitta, who shall

consider the merits of the matter as directed above and take a decision thereon after granting reasonable opportunity to the petitioner through his counsel and the learned Public Prosecutor. The decision as directed above shall be rendered by the court below within a period of 10 days from the date of production of the certified copy of this judgment.

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

sd/-

sab

ALEXANDER THOMAS, JUDGE