

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Crl.MC.No. 5302 of 2015 ()

CC. NO.359/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ANGAMALY.

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PETITIONER/ACCUSED:

SAHABUL, AGED 39 YEARS,
S/O. SATHAR, SARPPADA VILLAGE,
KUSTIYA DISTRICT, BANGLADESH.

BY ADV. SRI.P.B.AJOY.

RESPONDENTS/STATE/COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY SHO OF NEDUMBASSERY POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. UNION OF INDIA,
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS,
NORTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI - 110 001.
3. THE MINISTRY OF EXTERNAL AFFAIRS,
GOVERNMENT OF INDIA, SOUTH BLOCK,
CENTRAL SECRETARIAT, NEW DELHI- 110 001.

* ADDL. R4 IMPEADED

4. THE SECRETARY, DEPARTMENT OF HOME,
GOVERNMENT SECRETARIAT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

* IS IMPEADED AS ADDL. R4 AS PER ORDER DATED 15/09/2015
IN CRL.MC. NO.5302/2015.

R1 & ADDL. R4 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.
R2 & R3 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
ADV. SRI.SUVIN R.MENON, CGC.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 05-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A COPY OF THE JUDGMENT DATED 20/04/2015 IN
C.C. NO.359/2015 OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT, ANGAMALY.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B.KEMAL PASHA, J.

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CRL.M.C. No.5302 of 2015

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Dated this the 5th day of October, 2015

ORDER

The Additional Chief Secretary, Home and Vigilance Department, has reported that any detention centres/holding centres have not yet been set up for keeping Bangladeshi Nationals, who are found staying in the State without valid travel documents. It is a pity that the Government has not so far cared to establish such detention centres/holding centres in the State.

2. The learned counsel for the petitioner has pointed out that in all other States in India, except the State of Kerala,

such detention centres/holding centres have already been established. The Government shall look into the matter and do the needful at the earliest.

3. It has been presently reported that the Bangladesh National, who is involved in the case, has already been taken out of the Viyyur Central Prison and it has been further reported that today he will be taken to Bangladesh Embassy for enabling his deportation.

By recording the said submission and the detailed statement filed by the Additional Chief Secretary, Home and Vigilance Department, this Crl.M.C. is closed.

Sd/-

B. KEMAL PASHA
JUDGE

DSV/5/10/15

// True Copy //

PA to Judge