

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Crl.MC.No. 5952 of 2015

CC 137/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT- IV, ERNAKULAM

PETITIONER(S)/ACCUSED:

**SURESH JOSE, AGED 50 YEARS,
S/O.N.A.JOSEPH, 3/655, NARIKULAM HOUSE,
K.K.ROAD, BMC P.O., THRIKKAKARA,
ERNAKULAM-682 021.**

BY ADV. SRI.MATHEW ABRAHAM

RESPONDENT(S)/COMPLAINANT:

**1. M/S. SREE GOKULAM CHIT & FINANCE CO. PVT. LTD.,
DOOR NO.66, AROCOAT ROAD, CHENNAI-24,
REP. BY THE AUTHORISED PERSON V.MADHU,
S/O.N.D.VIDHYADHARAN, AGED 37 YEARS,
BUSINESS MANAGER, PIN 400 024.**

**2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT KERALA,
ERNAKULAM.682 031.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 5952 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1- A TRUE COPY OF THE COMPLAINT FILED BY THE 1ST RESPONDENT
DATED 02.03.2013.**

**ANNEXURE A2- A TRUE COPY OF THE PETITION FILED BY THE PETITIONER IN
C.C.137/13.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.5952 of 2015
.....

Dated this the 4th day of September, 2015

ORDER

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The limited request of the learned counsel for the petitioner is that the petitioner may be permitted to file a statement before the court below by way of his statement under Section 313 Cr.P.C. The petitioner shall file the statement with an affidavit stating that he has nothing to offer towards the questions that may be put by the court below based on the evidence tendered by the witnesses of the complainant. In case of filing such an affidavit along with the statement, the court below can dispense with his further examination under Section 313 Cr.P.C. Such an affidavit along with the statement shall be filed on the next posting date of the case. Till then, coercive steps against the petitioner shall not be executed.

Crl.M.C. is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/04/09

// True Copy //
PA to Judge