

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Crl.MC.No. 6630 of 2015 ()

CRIME NO. 48/2015 OF CHITTAR EXCISE RANGE OFFICE,PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED :

**K.R.KUTTAPPAN, AGED 49 YEARS,
S/O.RAMACHANDRAN, KANNANTHARAYIL HOUSE,
MALAYALAPPUZHA ERAM.P.O., THALACHIRA,
PATHANAMTHITTA.**

BY ADV. SRI.M.T.SURESHKUMAR

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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B.KEMAL PASHA, J.

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Crl.M.C No. 6630 of 2015

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Dated this the 9th day of October, 2015

O R D E R

Instead of having recourse to the provision under Section 438 Cr.P.C, in case he is entitled, the petitioner has bypassed the said provision and as a shortcut, has approached this Court under Section 482 Cr.P.C., which cannot be entertained. With liberty to the petitioner to approach the appropriate forum under Section 438 Cr.P.C, this Crl.M.C is dismissed.

Sd/-

B.KEMAL PASHA, JUDGE

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