

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

Cr1.MC.No. 6714 of 2015 ()

CC 238/2013 of CHIEF JUDICIAL MAGISTRATE'S COURT, ERNAKULAM
DATED 22-03-2007

PETITIONER/ACCUSED:

RANJITH KURUVILLA,
S/O.E.J.KURUVILLA, ANNAMALAI BUNGALOW, CHEMBUKAVU,
THRISSUR.

BY ADVS.SRI.JOSEPH KODIANTHARA (SR.)
SRI.V.ABRAHAM MARKOS
SRI.BINU MATHEW
SRI.TOM THOMAS (KAKKUZHIYIL)
SRI.ABRAHAM JOSEPH MARKOS
SRI.ISAAC THOMAS
SRI.NOBY THOMAS CYRIAC

RESPONDENTS/COMPLAINANT & NON PARTY TO THE COMPLAINT:

1. SUBHASH VARMA,
S/O.K.L.MOHANA VARMA, 603, AKARIA ARCADU,
Ayyappankavu, ERNAKULAM, KOCHI-682018.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT OF BUILDINGS, ERNAKULAM, KOCHI-682031.

R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Cr1.MC.No. 6714 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-A COPY OF APPLICATION FOR DISCHARGE DATED 26-5-2010
FILED BY THE 1ST RESPONDENT IN C.C.248/2007.

ANNEXURE-B COPY OF AGREEMENT DATED 7-12-2005.

ANNEXURE-C COPY OF THE DISCHARGE ORDER DATED 17-9-2009 PASSED
BY THE HONOURABLE CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM
IN CRL.M.P.3271/2010 IN C.C.248/2007.

ANNEXURE-D CERTIFIED COPY OF COMPLAINT DATED 21-3-2007 FILED
BY THE COMPLAINT/1ST RESPONDENT (REGISTERED AS C.C.238/2013)
BEFORE THE HONOURABLE CHIEF JUDICIAL MAGISTRATE'S
COURT,ERNAKULAM.

RESPONDENTS' ANNEXURES :

NIL

// True Copy //

P.A. To Judge

DSV/7/12/18

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 6714 of 2015
.....

Dated this the 4th day of December, 2015

ORDER

Heard the learned counsel for the petitioner.

2. On hearing the learned counsel for the petitioner, it has come out that the grounds urged by the petitioner are grounds that can be considered by the court below at the stage of Section 239 Cr.P.C. In case an application is filed under Section 239 Cr.P.C., the court below shall consider the said grounds in the light of Annexure-C order, and pass appropriate orders in accordance with law. Till the stage of Section 239 Cr.P.C., the personal appearance of the petitioner shall not be insisted by the court below.

This Crl.M.C. is disposed of with the above direction.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge