

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Crl.MC.No. 7048 of 2015

**CC 1206/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ATTINGAL.
CRIME NO. 381/2013 OF PALLICKAL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
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PETITIONER/IST ACCUSED:

**RAJESH, S/O RAVEENDRAN PILLAI,
AGED 36 YEARS, KAVITHA, KIZHAKKANELA,
NAVAIKULAM VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT:

**THE STATION HOUSE OFFICER,
PALLICKAL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1:** THE TRUE COPY OF THE JUDGMENT DATED 25.8.2015 IN
B.A.NO.5307/2015 OF THIS HON'BLE COURT.
- ANNEXURE A2:** THE TRUE COPY OF THE C.M.P.NO.2138/2015 IN
C.C.NO.1206/2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-II, ATTINGAL.
- ANNEXURE A3:** THE TRUE COPY OF THE CMP NO.2139/2015 OF THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-II, ATTINGAL.
- ANNEXURE A4:** THE TRUE COPY OF THE CMP NO.2373/2015 OF THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-II, ATTINGAL.
- ANNEXURE A5:** THE TRUE COPY OF THE ORDER SHEET OF THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-II, ATTINGAL.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

B.KEMAL PASHA, J.

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Crl.M.C. No. 7048 of 2015

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Dated this the 2nd day of November, 2015

ORDER

The matter was referred to the Adalath. The parties were directed to be present. At the same time, the petitioner had to return to his work place abroad and therefore, he could not be present. An application was filed for condoning his absence. It seems that the court below has directed the sureties to produce the 1st accused. It seems that his bail has not been cancelled. Without proceeding against the 1st accused, the court below cannot proceed against the sureties and forfeit their bonds. In such case, the order passed by the court below seems to be not proper.

2. The learned counsel for the petitioner submits that the

parents of the petitioner will participate in the Lok Adalath and they will produce the power of attorney of the 1st accused. In such case, any of them may be permitted to enter a settlement for and on behalf of the 1st accused. The court below shall not execute the impugned order.

This Crl.M.C. is disposed of as above.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/3/11/15

// True Copy //

P.A. To Judge