

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Crl.MC.No. 7193 of 2015 ()

SC 716/2013 of ADDL. SESSIONS COURT-IV, (ADHOC), KOLLAM

PETITIONER/ACCUSED NOS. 3 & 4 :

-
- 1. MATHEW FRANCO**
MARIYALAYAM HOUSE, SAKHIKULANGARA , KOLLAM
 - 2. MARGARET FRANCO**
MARIYALAYAM HOUSE, SAKHIKULANGARA , KOLLAM

BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN
SRI.K.SUDHINKUMAR

RESPONDENTS/RESPONDENTS :

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- 1. STATE OF KERALA**
REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI 682031
 - 2. THE SUB INSPECTOR OF POLICE,**
KOLLAM EAST POLICE STATION, KOLAM 691001

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

bp

Crl.MC.No. 7193 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE 1:- CERTIFIED COPY OF THE FINAL REPORT FILED BEFORE THE
JFCM COURT II, KOLLAM DTD 26/2/1999 IN CRIME NO 746/1998.**

**ANNEXURE II:- TRUE COPY OF THE JUDGMENT DTD 21/1/2013 IN SESSIONS
CASE NO 626 OF THE ADDITIONAL DISTRICT AND SESSIONS
JUDGE(ADHOC I)KOLLAM**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

B. KEMAL PASHA, J.

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CRL.M.C. No. 7193 of 2015
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Dated this the 23th day of November, 2015

ORDER

The petitioners are accused Nos.3 and 4 in S.C.No.716/2013, pending before the Additional Sessions Court-IV, Kollam.

2. According to the petitioners, the other accused, who faced the trial, were acquitted by the court below through Annexure-II, judgment. This Court is not making any comments on Annexure-II. At any rate, this Court is of the view that the petitioner cannot encash Annexure-II judgment in the light of the decision of the Full Bench of this Court in ***Moosa v. Sub Inspector of Police***[2006 (1) KLT 552]. The present request of the learned counsel for the petitioners is to have an expeditious disposal of the case. The court

below shall make every possible effort to dispose of the matter expeditiously.

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

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge