

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

Cr1.MC.No. 7306 of 2015 ()

CMP NO.5262 OF 2015 IN C.C.NO.366/2006 OF JUDICIAL FIRST CLASS
MAGISTRATE'S COURT-II, KANNUR

CRIME NO. 87/2005 OF KANNUR TOWN POLICE STATION

PETITIONER/IST ACCUSED:

AYILLIATH YADHUNATH NAMBIAR, AGED 55 YEARS,
S/O.PADMANABHAN NAMBIAR, 51/15,
PUTHIYAVEETIL, VELLESLY ROAD, BARANSSERY,
KANNUR - 670 013.

BY ADVS.SRI.S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
SRI.M.A.MOHAMMED SIRAJ
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA

RESPONDENTS:

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

2. THE STATION HOUSE OFFICER,
KANNUR CITY POLICE STATION.

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:

Cr1.MC.No. 7306 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-1: COPY OF THE ORDER OF THIS HON'BLE COURT IN
CRL.M.C. NO.3350 OF 2013 DATED 13.8.2013.

ANNEXURE-2: COPY OF THE ORDER IN 4936 OF 2013 IN C.C.NO.366
OF 2006 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II, KANNUR
DATED 7.9.2013.

ANNEXURE-3: COPY OF PASSPORT OF PETITIONER BEARING
NO.L8096546.

ANNEXURE-4: COPY OF CMP NO.5262/2015 IN C.C. 366/2006 OF
JUDICIAL FIRST CLASS MAGISTRATE - II COURT, KANNUR.

ANNEXURE-5: COPY OF ORDER IN CMP NO.5262/2015 IN CC 366/2006
OF JUDICIAL FIRST CLASS MAGISTRATE - II, COURT, KANNUR DATED
31.10.2015.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/24/11/15

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 7306 of 2015
.....

Dated this the 23th day of November, 2015

ORDER

On going through Annexure-5 order passed by the court below, it seems that the court below has unnecessarily made a direction that “*the fact of the case pending against the applicant be endorsed in the Passport*”. A further direction is also made by the court below to the effect that the petitioner shall surrender the passport on its renewal within three days of obtaining the passport. It seems that the court has acted in a vengeance. The above said directions are out of place and it is not required to be made. Therefore, the said directions contained in Annexure-5 order are expunged.

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

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge