

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. 7319 of 2015 ()

CMP NO.5263/2015 IN CC 638/2005 of JUDICIAL FIRST CLASS
MAGISTRATE'S COURT-II, KANNUR
CRIME NO. 39/2005 OF KANNUR CITY POLICE STATION

PETITIONER/1ST 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, PIN - 505 101.

BY PUBLIC PROSECUTOR SMT.MAYA

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

DSV/4/11/15

Cr1.MC.No. 7319 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-1: COPY OF THE ORDER OF THIS HON'BLE COURT IN
CRL.M.C.NO.2892 OF 2013 DATED 17.7.2013.

ANNEXURE-2: COPY OF THE ORDER OF THIS HON'BLE COURT IN
CRL.M.C.NO.3349 OF 2013 DATED 13.8.2013.

ANNEXURE-3: COPY OF THE ORDER IN CMP 4965 OF 2013 IN CC
NO.638/2005 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II,
KANNUR DATED 7.9.2013.

ANNEXURE-4: COPY OF PASSPORT OF PETITIONER BEARING
NO.L8096546.

ANNEXURE-5: COPY OF CMP 5263 OF 2015 IN CC NO.638/2005 OF
JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KANNUR.

ANNEXURE-6: COPY OF ORDER IN CMP 5263 OF 2015 IN CC
NO.638/2005 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II,
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. 7319 of 2015
.....

Dated this the 23th day of November, 2015

ORDER

On going through Annexure-6 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. This is not expected from a court of law also. Therefore, the said

directions contained in Annexure-6 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