

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

Cr1.MC.No. 7997 of 2015 ()

CC 986/2014 of J.M.F.C.-I, PEERMADE, IDUKKI DISTRICT.

PETITIONER(S)/ACCUSED:

VAKKAPPAN ALIAS K.I. VARGHESE, AGED 71 YEARS
S/o. ITTIAVIRA, KIZHAKKETHALACKAL HOUSE,
KUMILY KARA - 685 509, KUMILY VILLAGE
IDUKKI DISTRICT.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S)/COMPLAINANT & STATE:

1. SUPERINTENDENT OF POLICE, CRIME BRANCH,
CID OCW-I, THIRUVANANTHAPURAM - 695 001.
2. DY. SUPERINTENDENT OF POLICE, CRIME BRANCH,
CID OCW-1, IDUKKI DISTRICT.
3. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT.MAYA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 7997 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES :

1. COPY OF THE FIRST INFORMATION REPORT REGISTERED BY DY.
SUPERINTENDENT OF POLICE (ADMINISTRATION) ATTACHED TO THE
1ST RESPONDENT'S OFFICE ON 12.04.2010 AS CRIME
NO.349/CR/OCW-1/TVM/2010.
- II. COPY OF THE REPORT DATED 25.01.2010 SUBMITTED BY 1ST
RESPONDENT TO THE ADDITIONAL DIRECTOR GENERAL OF POLICE
(CRIMES), THIRUVANANTHAPURAM, SEEKING PERMISSION FOR
REGISTRATION OF CRIME AGAINST THE SAID C.H.MOHAMMED ALI.
- III. COPY OF THE FINAL REPORT FILED IN CONNECTION WITH CRIME
NO.349/CR/OCW-1/TVM/2010.
- IV. COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR.JOSEPH
SEBASTIAN, MD, DM (NEUROLOGY) OF CARITAS HOSPITAL DATED
30.11.2015.

RESPONDENTS' ANNEXURES : NIL

//TRUE COPY//

P.A TO JUDGE.

STU

B.KEMAL PASHA, J.

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Crl.M.C.No. 7997 of 2015

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Dated this the 22nd day of December, 2015

O R D E R

The petitioner is the 2nd accused in C.C.No.986 of 2014 of the Judicial First Class Magistrate's Court-I, Peermade, Idukki District, for the offences under Sections 465, 468, 471 and 420 read with Section 34 of the Indian Penal Code.

2. The petitioner is on bail. According to the petitioner, he has developed acute pain all along his left leg, for which he is undergoing treatment at the Caritas Hospital as is evident from Annexure-IV.

3. Charges have been framed in the case. Presently, the case stands posted for evidence. The petitioner is not disputing his identity. The request of the petitioner is that the court below may be directed to consider the application seeking exemption in the case

before the court below. In case, the petitioner files an application before the court below to that effect with the copy of Annexure-IV, the court below shall consider the matter sympathetically and shall grant exemption from personal appearance in the matter. The petitioner shall file an affidavit before the court below, affirming that he is not challenging his identity in the matter. The personal presence of the petitioner shall not be insisted till the stage of Section 313 Cr.P.C.

With the said direction, this Crl.M.C. is disposed of.

Sd/-
B.KEMAL PASHA
JUDGE

stu

Crl.M.C.No. 7997 of 2015

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