

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Cr1.MC.No. 6827 of 2014 ()

IN CC 509/2010 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT II,
NEDUMANGAD
CRIME NO. 385/2009 OF VATTIYOORKAVU POLICE STATION,
THIRUVANANDAPURAM

PETITIONER/3RD ACCUSED:

DINU @ ANU, AGED 27 YEARS,
S/O STEPHEN, VAYPLAVILAPUTHENVEETIL,
KARINGAL
MARANALLUR VILLAGE, NEYYATTINKARA,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS/COMPLAINANT AND STATE:

1. SUB INSPECTOR OF POLICE,
VATTIYOORKAVU POLICE STATION,
THIRUVANANTHAPURAM-695013.
2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-682031.

BY PUBLIC PROSECUTOR SMT.S.HYMA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 6827 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A: COPY OF THE FINAL REPORT DATED 7.8.2010 IN CRIME
NO.385/09 OF VATTIYOORKAVU POLICE STATION, WHICH IS NOW PENDING
AS C.C.NO.509/2010 ON THE FILE OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT-II, NEDUMANGAD.

RESPONDENTS' ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.6827 of 2014

Dated this the 12th day of February, 2015

O R D E R

The petitioner herein is the 3rd accused in C.C No.509/2010 of the Judicial First Class Magistrate court II, Nedumangad. He was granted bail at the initial stage, but later he happened to be remanded in judicial custody in another case. To ensure his presence as 3rd accused in C.C. No.509/2010 a production warrant had to be issued by the trial court. He continues in judicial custody in the other case. He has brought this petition under Section 482 of the Code of Criminal Procedure for a direction to the court below for the speedy trial and disposal of C.C No.509/2010. The report submitted by the learned Magistrate shows that the learned Magistrate has already framed charge against accused Nos.1, 3 and 4, and now warrant of arrest is pending against the other accused in the case. The learned Magistrate has also reported that earnest efforts will be made to try and dispose of the case at the earliest. Of course the learned Magistrate is aware that the 3rd accused is

in judicial custody, though not in C.C No.509/2010. If the presence of the others cannot be procured in the near future their case will have to be split up and refiled by the trial court, and the trial will have to proceed against the accused against whom the court has already framed charge. Anyway, the report of the learned Magistrate is recorded, and this Criminal Miscellaneous Case is closed with a direction to the learned Magistrate that earnest efforts shall be made to try and dispose of C.C No.509/2010 at the earliest, considering the fact that the petitioner herein is in judicial custody.

**P.UBAID
JUDGE**

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