IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

Crl.MC.No. 7132 of 2014

CC 376/2006 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MATTANNUR.
CRIME NO. 519/2013 OF MATTANNUR POLICE STATION, KANNUR DISTRICT.

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PETITIONER/ACCUSED:

KANNOTH POKKER, AGED 54 YEARS,
S/O.ASSANAR, DAYA MANZIL, MARUTHAI,
KOLARI AMSOM, THALASSERY TALUK,
KANNUR DISTRICT.

BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.

RESPONDENT/STATE:

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

BY ADV. PUBLIC PROSECUTOR SMT.S.HYMA

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 18-06-2015 ALONG WITH CRMC.1526/2015 & CONNECTED CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

mbr/

Crl.MC.No. 7132 of 2014

APPENDIX

PETITIONER(S)'ANNEUXRES:

ANNEUXRE-A1:	**CERTIFIED COPY OF THE REPORT SUBMITTED BY THE SUB INSPECTOR OF POLICE, MATTANNUR TO THE DEPUTY SUPERINTENDENT OF POLICE, IRITTY.**
ANNEXURE-A2:	**CERTIFIED COPY OF FIR IN CRIME NO.519/2013 OF MATTANNUR POLICE STATION.**
ANNEXURE-A3:	**TRUE COPY OF THE JUDGMENT DATED 13/11/2013 IN C.C.NO.376/2006 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MATTANNUR.**
ANNEXURE-A4:	**TRUE COPY OF THE DECREE DATED 15/2/2013 IN O.S.NO.18/2014 OF MUNSIFF COURT, KOOTHUPARAMBA.**
ANNEXURE-A5:	**TRUE COPY OF THE COMPLAINT IN STC NO.560/2012 FILED BY THE PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, MATTANNUR.**
ANNEXURE-A6:	**TRUE COPY OF THE COMPLAINT IN C.C.2296/2013 FILED BY PETITIONER'S WIFE THAHIRA BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, MATTANNUR.**
ANNEXURE-A7:	**TRUE COPY OF THE SUMMONS DATED 6.12.2014 IN M.C.NO.52/2014 OF SUB DIVISIONAL MAGISTRATE, THALASSERY (IN ANNEXURE A2 CRIME).**

RESPONDENTS'ANNEUXRES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ALEXANDER THOMAS, J.

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Crl.M.C.Nos.7132/2014, 1526/2015, 2702/2015, 2703/2015, 3657/2015, 3662/2015 & 3663/2015

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Dated this the 18th day of June, 2015

O R D E R

The matter in issue raised in these Criminal Miscellaneous Cases is covered against the respondents-State by the legal principles laid down by this Court in Santhosh v. State of Kerala reported in 2014(3) KLT 837 as well as the judgment dated 19.12.2014 of this Court rendered in the case Sajeesh.K v. State of Kerala in Crl.M.C.No.7259/2014 and connected cases reported in 2014 SCC Online Ker. 27899 dealing with similar impugned proceedings under Sec. 107 of the Cr.P.C. The impugned orders in these cases are similar or almost identical to the one considered in the above said reported rulings of this Court.

2. Accordingly, in tune with the directions issued by this Court in the said reported decisions, the impugned orders in these cases are quashed with liberty to the Sub Divisional Magistrate concerned to take fresh action, if actually necessary, after complying

with all the statutory procedural requirements and after applying the legal principles laid down in the aforementioned reported rulings of this Court and in accordance with law.

With these observations and directions, the Crl.M.Cs stand finally disposed of.

Sd/-

sdk+ ALEXANDER THOMAS, JUDGE

///True copy///

P.S. to Judge