

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Crl.MC.No. 7269 of 2014 ()

CC 116/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, PALA

PETITIONER/ACCUSED NO.5 :

**RENJITH, AGED 34 YEARS,
S/O RAMAKRISHNAN, VATTOLIL VEEDU, NALUKETTUKRA,
MURINGOOR THEKKUMMURI VILLAGE, KORATTY PANCHAYATH
THRISSUR DISTRICT.**

**BY ADVS.SRI.PREMCHAND R.NAIR
KUM.ANUPAMA SUBRAMANIAN**

RESPONDENT/COMPLAINANT :

**1. STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
PALA POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

***ADDL. R2 IMPEADED :**

**2. SAJI THOMAS, S/O. THOMAS, AAKKIMATTTEL VEEDU,
AANIKKADU VILLAGE, AANIKKADU KARA, KOTTAYAM - 686503.**

***ADDL. R2 IS IMPEADED AS PER ORDER DT 23/2/2015 IN CRL.M.A. 1363/2015
IN CRL.M.C. 7269/2014.**

**R1 BY PUBLIC PROSECUTOR SMT. P. MAYA
ADDL.R2 BY ADV. SRI.S.PRASANTH
BY ADV. SRI.SOORAJ T.ELENJICKAL
BY ADV. SMT.P.M.MAZNA MANSOOR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A: THE TRUE COPY OF THE FIR NO.151 OF 2010 REGISTERED BY
PALA POLICE DATED 3.2.2010.**

**ANEXURE B: THE TRUE COPY OF THE PRIVATE COMPLAINT CMP NO:2.2.02010
FILED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT
PALA.**

**ANNEXURE C: THE CERTIFIED COPY OF THE CHARGE A SUBMITTED BEFORE THE
JUDICIAL FIRST CLASS MAGISTRATE COURT PALA DATED 2.1.2013.**

**ANNEXURE D: THE TRUE COPY OF THE CERTIFICATE OF IELTS ISSUED BY THE
BRITISH COUNCIL DATED 20.1.2007.**

ANNEXURE E: THE TRUE COPY OF THE POLICE CLEARANCE DATED 26.6.2008.

**ANNEXURE F: THE TRUE COPY OF THE RECEIPT DATED 24.11.2007 ISSUED BY THE
3RD ACCUSED TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

B. KEMAL PASHA, J.

.....
Crl.M.C. No. 7269 of 2014
.....

Dated this the 30th day of September, 2015

ORDER

The petitioner is the 5th accused in C.C.No.116/2013 of the Judicial First Class Magistrate's Court, Pala, which has arisen from Crime No.151/2010 of the Pala Police Station registered for the offences punishable under Sections 120B and 420 IPC read with Section 34 IPC.

2. The prosecution case is that the petitioner along with the other accused has hatched a criminal conspiracy and in prosecution of their common object to cheat the defacto complainant, they obtained an amount of ₹1,90,000/- from the defacto complainant by falsely representing that they would arrange a job VISA for him to Australia. The petitioner is absconding. Presently, Sections

82 and 83 Cr.P.C steps are in progress. On going through the matter and considering the facts and circumstances of the case, there is no reason to grant the relief sought for by the petitioner. Matters being so, this Crl.M.C. is devoid of merits, and is only to be dismissed, and I do so.

In the result, this Crl.M.C. Stands dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge