

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

Crl.MC.No. 7339 of 2014 ()

AGAINST CC 3860/2012 of J.M.F.C.,MATTANNUR
CRIME NO. 627/2010 OF MATTANNUR POLICE STATION , KANNUR

PETITIONER/3RD ACCUSED:

PRAHLADAN AGED 44 YEARS
S/O BHASKARAN, RESIDING AT KARIMBUMKARA, ARAYAMBATH
P.O. CHIRAKKAL, KANNUR DISTRICT-670011.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS/COMPLAINANT AND STATE:

1. THE STATION HOUSE OFFICER, MATTANNUR POLICE STATION
KANNUR – 673 012.

2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

R1 & R2 BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
16-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 7339 of 2014 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1: THE TRUE COPY OF THE FIR IN CRIME NO.618/2010 ON THE FILE OF MATTANNUR POLICE STATION, KANNUR DISTRICT.

ANNEXURE A2: THE TRUE COPY OF THE FIR IN CRIME NO.627/2010 ON THE FILE OF THE MATTANNUR POLICE STATION, KANNUR DISTRICT.

ANNEXURE A3: THE TRUE COPY OF THE SEIZURE MAHAZAR IN CRIME NO.618/2010 ON THE FILE OF MATTANNUR POLICE STATION, KANNUR DISTRICT.

ANNEXURE A4: THE TRUE COPY OF THE MEMORANDUM EVIDENCE IN CRIME NO.627/2010 U/S. 468, 471 IPC.

ANNEXURE A5: THE TRUE COPY OF THE MEMORANDUM OF CHARGES.

ANNEXURE A6: THE TRUE COPY OF THE JUDGMENT IN WP(CRL) NO.331/2010 ON THE FILE OF HON'BLE HIGH COURT OF KERALA.

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.S TO JUDGE

P.UBAID, J.
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**Crl.M.C No.7339 of 2014**  
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Dated this the 16th January, 2015

ORDER

The petitioner herein is the 3rd accused in C.C No.3860 of 2012 of the Judicial First Class Magistrate Court, Mattannur. The offences involved in the crime are under Sections 468 and 471 of Indian Penal Code. Now the petitioner seeks orders quashing the prosecution on the ground that there is nothing to implicate him or to incriminate him, and that he has no connection with the sim card and other documents seized and produced by the police. On hearing the learned counsel, and on a perusal of the F.I.R and the final report, I find that materials are there for a prosecution as alleged in this case, and that there is no sufficient reason or ground to quash the prosecution as such. When prima facie materials are there, the accused will have to convince the trial court during trial, that he has no connection with the materials seized by the police in this case, and that he had no role in the alleged forgery. I find no reason to quash the prosecution as such at this stage.

2. The learned counsel for the petitioner makes a submission that a direction may be given to the trial court to expedite trial in this case. It is submitted that the petitioner has good prospects for a job abroad, and if trial is delayed, he will lose that employment. Of course, this grievance will have to be considered by the trial court. If there is no huge pendency in the said court, earnest efforts can be made to try and dispose of the case at the earliest.

In the result, this Crl.M.C is dismissed, however, with direction to the court below that if the petitioner's grievance is genuine, earnest efforts shall be made to try and dispose of the case at the earliest. If application for discharge is filed, the same shall be decided without delay.

Sd/-
P.UBAID
JUDGE

ma,

/True copy/

P.S to Judge