

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Crl.Rev.Pet.No. 278 of 2013 ()

CMP 100/2012 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT,
NEDUMKANDOM

REVISION PETITIONER/PETITIONER:

BHASKARAN
S/O. SUBBARAJ, PUDUKKADU COLONY, PAMPADUMPARA VILAGE
UDUMBANCHOLA TALUK.

BY ADVS.SRI.GRASHIOUS KURIAKOSE (SR.)
SRI.GEORGE MATHEWS

RESPONDENTS/STATE AND ACCUSED:

-
1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM- 682 031.
 2. P. PARAMASIVAM,
S/O. PALANICHETTIYAR, PUTHUKKADU COLONY
PAMPADUMPARA VILLAGE, UDUMBANCHOLA TALUK
PIN- 685 553.

R1 BY PUBLIC PROSECUTOR R.GITESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SCL.

B. SUDHEENDRA KUMAR, J.

Crl.R.P. No. 278 of 2013

Dated this the 14th day of December, 2015.

ORDER

The revision petitioner is the petitioner in C.M.P.No.100 of 2012 on the files of the Court of the Judicial Magistrate of First Class, Nedumkandam, who in this revision petition challenges the order passed by the court below, dismissing C.M.P.No.100 of 2012 under Section 203 of the Code.

2. Heard.

3. When this matter has been taken up for hearing, the learned counsel for the revision petitioner has submitted that the order impugned is very vague, cryptic and non-speaking and consequently, the order impugned is liable to be set aside for that reason alone.

4. It appears that the order impugned is very cryptic and non-speaking. The order does not mention briefly about the facts. It also does not mention about the witnesses, if any, examined as part of inquiry under Section 202 of the Code

and also the material, if any, collected in the inquiry. For the said reason, I am of the view that the order impugned cannot be sustained.

In the result, this revision petition stands allowed, setting aside the order impugned and the matter is remitted to the court below to pass order afresh in accordance with law, in the light of the observations made in this order.

The revision petitioner shall appear before the court below on 7.01.2016 without further notice.

**B. SUDHEENDRA KUMAR
JUDGE**