

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

OP(Cr1.).No. 11 of 2015 (Q)

IN CC 3685/2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT
-II, NEYYATTINKARA

PETITIONER/ACCUSED:

MOHIT VALSAN, AGED 24 YEARS,
VATSALYAM HOUSE, KOLLAYIL VILLAGE,
NADOORKOLLA DESOM,
MANGOTTUKONAM, THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.BIJU BALAKRISHNAN
SMT.V.S.RAKHEE
SMT.PRINCY XAVIER

RESPONDENT/COMPLAINANT:

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

BY GOVERNMENT PLEADER SMT.P.MAYA

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(Cr1.).No. 11 of 2015 (Q)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT-P1: PHOTOSTAT COPY OF FIR DT.15.07.2013 IN CRIME
NO.828/2013 OF PARASSALA POLLICE STATION.

EXHIBIT-P2: PHOTOSTAT COPY OF THE MEDICAL REPORT OF THE
PETITIONER.

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

O.P(Crl) No.11 of 2015

Dated this the 14th day of January, 2015

J U D G M E N T

The petitioner is the sole accused in C.C. No.3685/2013 before the Judicial First Class Magistrate Court II, Neyyattinkara. The offence involved in the crime are under Sections 279 and 304A of the Indian Penal Code. He seeks a direction under Article 227 of the Constitution of India for expeditious disposal of the case on the ground that he has obtained a job abroad and he will have to leave within a few weeks. A time bound disposal as required by the petitioner cannot be granted, and I feel that it would not be appropriate also when the Court of the learned Judicial First Class Magistrate II, Neyyattinkara is a heavy court where there is huge pendency of criminal cases. However, the petitioner's request will have to be considered by the learned Magistrate. If the petitioners request is genuine, and if he has material to substantiate his grievance, he can make application before the learned Magistrate and make a request for speedy trial and

disposal. No doubt, if his grievance is genuine, it will be definitely considered by the learned Magistrate. If there is possibility of loosing employment due to delay, earnest efforts will have to be made by the learned Magistrate for expeditious trial and disposal.

In the result, this Criminal Miscellaneous Case is closed with direction to the court below that if application is made by the petitioner herein on proper grounds for expeditious disposal of C.C No.3685/2013, the same shall be judiciously considered, and if required, earnest efforts shall be made for expeditious trial and disposal of the case.

**P.UBAID
JUDGE**

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