

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

OP(Cr1.).No. 76 of 2015 (Q)

IN CRL.M.P 2915/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT -II, ALUVA

PETITIONER/PETITIONER:

C.M.SADIQ, AGED 52 YEARS,
S/O. LATE MOHAMMED,
RESIDING AT H.NO.48/439-F, 'MINNAH',
PUNNAKKAL, ELAMAKKARA (PO), ERNAKULAM DISTRICT
PIN:682026.

BY ADVS.SRI.R.O.MUHAMED SHEMEEM
SMT.NASEEHA BEEGUM P.S.

RESPONDENTS/COMPLAINANT:

1. STATION HOUSE OFFICER,
KALAMASSERY POLICE STATION, ELAMAKKARA,
ERNAKULAM
PIN:682026.

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

R1 & R2 BY GOVERNMENT PLEADER SMT.S.HYMA

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(Cr1.).No. 76 of 2015 (Q)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.116 OF 2015, DATED 19.2.2015 BEFORE THE 1ST RESPONDENT.

EXHIBIT P2: COPY OF CHEQUE BEARING NO.236743 FOR RS.11,00,000/- (RUPEES ELEVEN LAKHS ONLY) DRAWN ON FROM ICICI BANK LIMITED KOCHI BRANCH.

EXHIBIT P3: COPY OF CRL.M.P NO.2915 IN CRIME NO.116 OF 2015 OF ELAMAKKARA POLICE STATION, PENDING BEFORE JUDICIAL 1ST CLASS MAGISTRATE-II, ALUVA.

RESPONDENTS' EXHIBITS

NIL

//TRUE COPY/

P.A TO JUDGE

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P.UBAID, J.

O.P(Crl) No. 76 of 2015

Dated this the 17th day of March, 2015

J U D G M E N T

The petitioner brought this proceeding for a direction to the Judicial First Class Magistrate Court II, Aluva to consider and dispose of his application filed under Section 451 of the Code of Criminal Procedure for interim custody of a cheque involved in the case. There is a report from the trial court that the application stands disposed of on 9.3.2015. Now this proceeding can be closed without prejudice to the right of the petitioner to seek appropriate relief as regards the order against him.

In the result, this Original Petition is closed without prejudice to the right of the petitioner to seek appropriate relief with respect to the order in Crl.M.P No.493/2015 of the court below.

**P.UBAID
JUDGE**

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