

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

OP(Crl.).No. 121 of 2015 (Q)

SC.NO. 282/2008 OF ADDL.DISTRICT AND SESSIONS COURT - II, THALASSERY

PETITIONER :

**UNNIKRISHNAN,
S/O.NARAYANA MARAR, AGED 44 YEARS,
PUTHIYEDATHUVEEDU,
MAYYIL, VELAM, KANNUR.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.K.ASHIS**

RESPONDENT :

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM, PIN-682 031.**

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(Crl.).No. 121 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT:P1: A TRUE COPY OF THE F.I.R IN CRIME NUMBER 143 OF 2005 OF
IRIKKUR POLICE STATION DATED 31.10.2005.**

**EXT:P2: A TRUE COPY OF THE FINAL REPORT IN THE ABOVE CRIME DATED
9.3.2007.**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

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O.P.(Criminal) No. 121 of 2015

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Dated this the 12th day of June, 2015

JUDGMENT

The prayers in this O.P.(Crl.) instituted under Article 227 of the Constitution of India seeking invocation of this Court's visitorial powers of superintendence are as follows:

“i) issue an appropriate order or direction commanding the Additional District and Sessions Court-II, Thalassery to commence and conclude the trial of S.C.No.282 of 2008 pending before the said court, within such time as may be fixed by this Hon'ble court in the interest of justice.

AND

ii) To pass any such or further orders as the petitioner may seek and this Hon'ble Court deem fit to grant.”

2. This Court had directed the Registry to call for a report from the aforementioned Sessions Court as regards the present stage of S.C.No.282/2008 and the time required for the disposal of that case and about the total pendency of cases there.

3. Now a report in that regard has been furnished by the Sessions Court, concerned Thalassery on 11/06/2015 addressed to the Registry wherein it is stated that S.C.No.282/2008 is a case

involving offences u/s.489(A) (B) (C) (D) and 120(B) r/w. Sec.34 IPC. That the charge is already framed and that now the case is ripe for trial. But that the accused are not regularly attending the court. On the last posting date warrant was issued by that court and subsequently the accused surrendered and warrant was recalled. This Sessions Case is a target case and that it could be disposed of within six months etc.

4. In the light of the aforementioned prayer and the report forwarded by the Sessions Court concerned, it is ordered in the interest of justice that the Sessions Court concerned will make all reasonable endeavours possible under the circumstances to finally dispose of the matter within the time limit as suggested by that court in the above said report, provided the State, the accused and the witnesses fully co-operate with the smooth conduct of the trial in that case.

With these observations and directions the O.P.(Crl.) stands finally disposed of.

Sd/- ALEXANDER THOMAS, JUDGE