

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

OP(Crl.).No. 185 of 2015 (Q)

**SC.NO.15/2014 OF SESSIONS COURT, THIRUVANANTHAPURAM
CRIME 347/2010 OF VANCHIYOOR POLICE STATION**

PETITIONER:

**MOHANKUMAR P.S.
WARDEN (UNDER SUSPENSION FROM 23-4-2010),
SRICHITRA HOME FOR DESTITUTE & INFIRM
THIRUVANANTHAPURAM, RESIDING AT 'UTHRADAM',
MOONAMMOODU, VATTIYOORKAVU P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.C.K.MOHANAN

RESPONDENT:

**SUB INSPECTOR OF POLICE,
VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682031.**

BY GOVERNMENT PLEADER SRI.N.SURESH

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 01-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- PHOTOCOPY OF THE RELEVANT PAGES OF THE FINAL REPORT IN
CRIME 347/2010 OF VANCHIYOOR POLICE STATION.**

**EXHIBIT P2- PHOTOCOPY OF THE JUDGMENT IN WPC 33045/2011 OF THE HON'BLE
HIGH COURT OF KERALA DATED 5-6-2012.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

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Dated this the 1st day of July, 2015.

J U D G M E N T

The prayer in this Original Petition instituted under Article 226 of the Constitution of India seeking invocation of this Court's visitorial power of superintendence conferred as per that provision is for a direction to the Sessions Court concerned to conclude the trial in S.C.No.15/2014 within a time frame of three months. The petitioner is the sole accused in the sessions case for offences under Sec.336A of the IPC as per the Ext.P1 final report/charge sheet.

2. This Court as per order dated 18.6.2015 had requested the registry to get a report from the Sessions Court concerned, Thiruvananthapuram about the present stage and the reasonable time for disposal of S.C.No.15/2014 and the total number of cases pending there. Now, the Sessions Court concerned, viz., the Court of 1st Additional Sessions Court has furnished a report dated 25.6.2015 through the Registry of this Court wherein it is stated

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that the case is now stands posted to 25.7.2015 for preliminary hearing on charge and altogether 10 witnesses are seen cited by the prosecution and that as the said court is the designated court for trial of cases involving offence against children, at present a total number of 1158 cases under that category and 1062 numbers under other categories including under trial prisoners are pending before the said court and it is assured that all earnest efforts will be taken for trial and disposal of the sessions case within a period of three months.

3. Heard Sri.C.K.Mohanan, learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State of Kerala.

4. Taking into account the totality of the facts and circumstances of the case and considering the report dated 25.6.2015 submitted by the Sessions Court concerned it is ordered in the interest of justice that the Sessions Court concerned will take all reasonable endeavour possible to ensure that the trial in S.C.No.15/2014 is completed without much delay and all efforts

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may be taken to ensure that the same is disposed of within the time as suggested by the court below as per the aforestated report.

With these observations and directions, this Original Petition stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-