

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

OP(Crl.).No. 192 of 2015 (Q)

CMP 7361/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, HARIPAD

PETITIONER(S):

**R.JAYAKRISHNAN NAIR, AGED 47 YEARS,
S/O.RAMACHANDRAN NAIR,
GENERAL MANAGER (NOW ON SUSPENSION)
ALAPPUZHA CO-OPERATIVE SPINNING MILLS LTD,
KAREELAKULANGARA P.O., KAYAMKULAM, ALAPPUZHA - 690 572,
AND RESIDING AT:KRISHNA SREE, CHANDRAMANGALAM
AARPPUKKARA EAST, KOTTAYAM - 686 006.**

**BY ADVS.SRI.DIPU.R
SRI.SANAL P.RAJ
SMT. DHANYA BABU
SMT.P.A.PRIYA**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, HIGH COURT BUILDING
ERNAKULAM - 682 031.**
- 2. P.S.SREEKUMAR, AGED 50 YEARS,
GENERAL MANAGER (ON DEPUTATION),
ALAPPUZHA CO-OPERATIVE SPINNING MILL LTD,
KAREELAKULANGARAP.O., KAYAMKULAM, ALAPPUZHA - 690 572.**
- 3. MANIYAN MESERI ALIAS MANI MESIRI, AGED 58 YEARS,
MANIMANDIRAM, THODIYOOR, THODIYOOR P.O.
KOLLAM - 690 523.**

R1 BY GOVERNMENT PLEADER SRI.N.SURESH

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 29-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

OP(Crl.).No. 192 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF CMP NO.7361/2013 OF JFMC COURT, HARIPAD.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

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O.P. (Crl.) No.192 of 2015

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Dated this the 29th day of July, 2015

J U D G M E N T

The prayer in this Crl.M.C is as follows:

- i) Direct the Judicial First Class Magistrate Court, Haripad to dispose of C.M.P No.7361/2013 (Exhibit P1) on merit within two months.
- ii) This Hon'ble Court may be further pleased to pass any other just and equitable order under the given facts and circumstances of the case as deemed fit in favour of the petitioner."

2. As directed by this Court the Judicial First Class Magistrate Court -I, Haripad has submitted a report dated 14.7.2015 to the registry of this Court wherein it is inter alia stated that on 3.12.2013 the C.M.P was posted for recording the sworn statement of the complainant and on 25.8.2014 the complainant was examined as PW1 and for the last six posting said C.M.P is posted for further evidence and so far no witness is produced and the case now posted to 4.9.2015 for further evidence. Further that along with the complaint, the complainant has filed witness schedule with three witnesses and till now they are not examined and that no steps taken by the complainant so far. In the above

circumstances, the learned Magistrate reports that after the examination of the witnesses the case can be heard and appropriate orders can be passed within one month thereafter.

2. Heard Sri. Dipu.R, the learned counsel for the petitioner and the learned Public Prosecutor, appearing for the respondent, State of Kerala.

3. In the facts and circumstances of the case and in the light of the report dated 14.7.2015 submitted by the jurisdictional Magistrate Court concerned, it is for the petitioner to proceed with the matter diligently, so as to enable the court below to expeditiously pass orders on C.M.P as stated in the aforestated report.

With these observations and directions, this Crl.M.C stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE