

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

OP(Crl.).No. 203 of 2015 (Q)

PETITIONER/PETITIONER:

THANKAMANI.P.C AGED 57 YEARS
W/O.ANTONY NOW RESIDING AT TMC NO.29/162, PURAKKAD,
THEKKUMBAGAM VILLAGE, KANAYANNUR TALUK, ERNAKULAM

BY ADV. SRI.P.B.AJOY

RESPONDENT/RESPONDENT:

ANTONY, AGED 70 YEARS
PALAMOOTTHIL HOUSE, NEAR KATTUNGAL TEMPLE, PACHALAM
VADUTHALA, ERNAKULAM 682023

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 17-
07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(Crl.).No. 203 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:TRUE COPY OF THE PETITION DATED 06.05.2015 IN MC.NO.19/2014

P2:TRUE COPY OF ORDER DATED 06.05.2015 OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM

P3:TRUE COPY OF THE OBJECTION DATED 23.08.2014 OF THE RESPONDENT IN MC.NO.19/2014

P4:TRUE COPY OF THE AFFIDAVIT DATED 24.01.2015 FILED ALONG WITH CRL.MP.NO.102/2015

P5:CERTIFIED COPY OF THE ORDER IN CRL.MP.NO.102/2015 DATED 18.02.2015 OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM

P6:TRUE COPY OF THE AFFIDAVIT DATED 07.03.2015 FILED ALONG WITH CRL.MP.NO.349/2015

TRUE COPY

P.S TO JUDGE

RAJA VIJAYARAGHAVAN.V. J

O.P.(Criminal).203 of 2015

Dated 17th July, 2015

JUDGMENT

1. The petitioner herein is the petitioner in M.C.No.19 of 2014 on the files of the Additional Chief Judicial Magistrate Court, Ernakulam. The said petition was filed by her against her husband, the respondent herein, u/s 12 of the Protection of Women from Domestic Violence Act, 2005.

2. It is submitted by the learned counsel for the petitioner that as per order dated 6.5.2015 produced as Ext.P2, the learned Magistrate had granted interim protection order. Thereafter the petitioner had filed Crl.M.P. No 102 of 2015 seeking a direction to the respondent to hand over the printed form of the new ration card and also the old ration card . As per Exhibit P 5 order dated 18.2.2015, the same was also allowed . Annexure 5 order was not complied with by the

respondent. In the said circumstances, Crl.M.P.349 of 2015 was filed before the court seeking initiation of prosecution under S 31 (1) for violating the order . According to the petitioner though the said application, produced as Annexure 5, was filed as early as on 7.3.2015 , the same has not been disposed of till date by the learned Magistrate. The only prayer in this petition is to direct expeditious disposal of the said application by the learned Magistrate.

3. In the nature of the order that I propose to pass, notice to the respondent can be dispensed with.

4. The learned Additional Chief Judicial Magistrate Court, Ernakulam is directed to dispose of Crl.M.P.349 of 2015 in M.C.19 of 2014 as expeditiously as possible, after hearing the rival parties, on its merits, and orders shall be passed at any rate, within two weeks from the date of receipt of this order.

5. The petitioner is directed to produce a copy of this order before the learned Magistrate for compliance.

This original Petition is disposed of as above.

SD/-

RAJA VIJAYARAGHAVAN.V.
Judge

MrCs

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