

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

OP(Crl.).No. 225 of 2015 (Q)

CC 1549/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT, ANGAMALY

PETITIONER/ACCUSED :

**ALAN JOSEPH, AGED 47 YEARS,
S/O. JOSEPH, HOUSE NO. 3312, CHETSEY CT
SACRIMONTO, U.S.A.
HOLDER OF INDIAN PASSPORT NO. 515202825
PRESENTLY RESIDING AT ARATTUKULAM HOUSE,
NEAR AQUINOUS COLLEGE, EDAKOCHI VILLAGE,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.C.D.JOHNY
SMT.MEREENA JOSEPH**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
(ON BEHALF OF SUB-INSPECTOR OF POLICE,
NEDUMBASSERY POLICE STATION).**

BY GOVERNMENT PLEADER SRI. DHANESH MATHEW MANJOORAN

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE F.I.R. IN CRIME NO. 1381/2014 OF
NEDUMBASSERY AIRPORT POLICE STATION.**

**EXHIBIT P2: TRUE COPY OF THE FINAL REPORT IN C.C.NO. 1549/2014 ON THE FILE
OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, ANGAMALY.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ALEXANDER THOMAS, J.

O.P(Cr1).No.225 Of 2015

Dated this the 11th day of August, 2015.

J U D G M E N T

The prayer in this Original Petition is as follows:

“To direct the Judicial First Class Magistrate Court, Angamaly to dispose C.C.No.1549/2014 as expeditiously as possible at any rate within a time frame to be fixed by this Hon'ble Court.”

2. As directed by this Court, the Judicial First Class Magistrate Court, Angamaly submitted a report on 6.8.2015 to the Registry of this Court. It is stated that the case is charge sheeted for offences under Secs.468 & 471 IPC and Secs.13 & 14 of the Foreigners Act. There are four prosecution witnesses in the case and the Assistant Public Prosecutor appointed to the court is available only for three days a week as his service are shared with the Judicial First Class Magistrate Court, Kalady and around 5830 cases are pending before the Judicial First Class Magistrate Court, Angamaly which started functioning only from 22.11.2014.

3. Though this Court has specifically directed that the learned Magistrate shall report on the reasonable time required for final

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disposal of C.C.No.1549/2014, the report is totally silent about that. In the circumstances, it is ordered in the interest of justice that the Judicial First Class Magistrate Court, Angamaly, will reasonably endeavour under all possible circumstances to take up C.C.No.1549/2014 and dispose of the same without any further delay and sincere attempt may be taken to ensure that the case is disposed of at least within a period of 8 to 10 months from the date of receipt of a copy of this judgment, provided that all the parties concerned and the witnesses fully co-operate with the conduct of completion of the trial in that case.

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

ALEXANDER THOMAS,
Judge.

bkn/-