

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

OP(Crl.).No. 247 of 2015 (Q)

**CC 4717/2009 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II, KOLLAM
DATED 31-10-2009**
.....

PETITIONER(S):

**P.SANKARA PILLAI, AGED 67 YEARS,
S/O. LATE PARAMESWARAN PILLAI, SANKARALAYAM HOUSE,
MUTHIPILAKKADU WEST, PORUVAZHY P.O., KOLLAM-690 520.**

BY SRI P. SANKARA PILLAI (PARTY-IN-PERSON)

RESPONDENT(S):

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

BY GOVERNMENT PLEADER SMT.P.MAYA

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 19-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(Crl.).No. 247 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE COMPLAINT DATED 07-10-2009 LODGED TO
SUPT. OF POLICE, KOLLAM.**

EXHIBIT P2- TRUE COPY OF C.M.P.NO. 6451/2009 DATED 19-10-2009.

EXHIBIT P3- TRUE COPY FIR NO. 1312/2009 DATED 23-10-2009.

**EXHIBIT P4- TRUE COPY OF APEX COURT VERDICT 2008 KHC 5154 AIR 2008
S.C.379. 2007 (14) SCC.452.2007 (59) AIC 238.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE.

Ms v/

ALEXANDER THOMAS, J.

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O.P.(Crl.) No.247 of 2015

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Dated this the 19th day of August, 2015

J U D G M E N T

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

“.... to direct Judicial First Class Magistrate –II, Kollam for finalising the trial by 30.11.2015.”

2. In compliance with the orders issued by this Court on 11.8.2015, the Judicial First Class Magistrate Court–II, Kollam submitted a report dated 17.08.2015 to the Registry of this Court, wherein it is stated that the total number of cases pending before that court is about 19,500 and daily postings is 250 cases and large number of cases are pending for appearance of prosecution witnesses and that considering the huge pendency of cases before that court, minimum time for six months may be required for disposal of C.C No. 4717/2009.

2. Heard Sri.P.Sankara Pillai, the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent, State of Kerala.

3. Taking into account the totality of the facts and

circumstances of the case as well as the report dated 17.8.2015 submitted by the court below, it is ordered in the interest of justice that the Judicial First Class Magistrate Court-II, Kollam will take all reasonable endeavours possible under the circumstances to take up C.C No.4717/2009 for consideration and disposal without further delay. It is hoped and expected that the court below will make serious attempt to ensure that C.C No.4717/2009 is finally disposed of at least within a period of 6 to 8 months provided all the parties, witnesses, etc. fully co-operate with the conduct and completion of the trial process.

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

sd/-

sab

ALEXANDER THOMAS, JUDGE