

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

OP(Cr1.).No. 272 of 2015 (Q)

CC 220/2014 of CHIEF JUDICIAL MAGISTRATE'S COURT, PALAKKAD
CRIME NO.972/2014 OF PALAKKAD TOWN SOUTH POLICE STATION

PETITIONERS :

1. KRISHNA PRAVEEN K.C.
S/O.CHANDRAMENON, 'SREEKRIPA', ALEMKODE,
THANNISSERRY P.O., PALAKKAD.

2. KRISHNADAS T.,
S/O.E.T.CHENATHAMRAKSHAN, THUPPALE HOUSE,
ETHANUR P.O., KODUVAYUR, PALAKKAD.

BY ADVS.SRI.RAJESH NAMBIAR
SMT.SINDHU K.NAMBIAR

RESPONDENTS :

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN 682 031.

2. VINOD, S/O.MANIKKAN,
MAMBARAM HOUSE, KINASSERY, KANNADI GRAMA PANCHAYATH,
PALAKKAD, PIN- 672 008.

R1 BY GOVERNMENT PLEADER SMT.SAREENA

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
08-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DSV/10/9/15

OP(Cr1.).No. 272 of 2015 (Q)

APPENDIX

PETITIONER'S EXHIBITS :

P1 - COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY THE
RBI.

P2 - COPY OF THE FIR NO.972 DATED 5.07.2014 OF PALAKKAD TOWN
POLICE STATION.

P3 - COPY OF THE CHARGE SHEET IN CRIME NO.972/14 OF PALAKKAD
TOWN POLICE STATION.

P4 - COPY OF THE ORDER OF HON'BLE SUPREME COURT DATED
9.12.2009 IN SLP NO.34057 OF 2009.

P5 - COPY OF THE ORDER OF HON'BLE SUPREME COURT DATED
4.07.2012 IN SLP (C) 35142/2009.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/10/9/15

B.KEMAL PASHA, J.

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O.P.(CrI).No.272 of 2015

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Dated this the 8th day of September, 2015

J U D G M E N T

The petitioners, who are accused in Crime No.972 of 2014 of the Palakkad Town South Police Station, have come up with a prayer to keep Exhibit P3 Final Report in the matter, in abeyance, till the disposal of C.A.No.5112 of 2012 of the Apex Court.

2. The petitioners are not parties to the aforesaid proceedings pending before the Apex Court. According to the petitioners, the company, in which the petitioners were working has not been arraigned as an accused in the present case and that the said company is a party to the proceedings

pending before the Apex Court. Of course, at this stage while dealing with the present matter, this Court can not go into the merits or otherwise the evidence collected by the investigating officer in the matter. If any way aggrieved, the petitioners can approach the court below with an application under Section 239 Cr.P.C., and in such case, the court below shall consider it and dispose it of on merits in accordance with law.

With the said observations, this Original Petition (Criminal) stands dismissed.

Sd/-

**B. KEMAL PASHA
JUDGE**

DSV/8/9/15