

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

OP(Crl.).No. 246 of 2014 (Q)

IN CC 91/2011 of JUDICIAL FIRST CLASS MAGISTRATE COURT, PARAVOOR

PETITIONER(S)/PETITIONER:

- 1. HAMENTH AGED 19 YEARS
S/O.MURALEEDHARAN, PUTHUVAL VILLA PUTHANVEEDU
VIJAYA NAGAR, PARIPPALLY , KOLLAM**
- 2. SHINE AGED 21 YEARS
S/O.KANAKAN, VALIYAVILA PUTHEN VEEDU, VIJAYA NAGAR
PARIPPALLY , KOLLAM**
- 3. RENJITH AGED 23 YEARS
S/O.REGHU, SWARASWATHY BHAVANAM, VIJAYA NAGAR
PARIPPALLY, KOLLAM**
- 4. SREEJITH AGED 30 YEARS
S/O.SASIDHARAN, S S LAND, VIJAYA NAGAR
PARIPPALLY, KOLLAM**

BY ADV. SRI.LIJU. M.P

RESPONDENT(S)/RESPONDENTS:

**STATE OF KERALA
REP BY SUB INSPECTOR OFPOLICE
PARIPPALLY POLICE STATION, KOLLAM DIST
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM**

R BY GOVERNMENT PLEADER SMT. S. HYMA

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 22-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

**P1:-TRUE COPY OF THE FIR IN CRIME NO 1326/2010 OF PARIPALLY POLICE STATION,
KOLLAM DIST**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

**PA TO JUDGE
sab**

P.UBAID, J.

O.P(Crl.) No. 246 of 2014

Dated this the 22nd day of January, 2015.

J U D G M E N T

The petitioners herein are the accused in C.C No.91/2011 of the Judicial First Class Magistrate Court – I, Paravur, Kollam district. All are youngsters. Their grievance is that trial in the said case is unnecessarily delayed, and this causes loss of job opportunities. Finding that such delay will affect good prospects for job, they brought this petition under Article 227 of the constitution of India for a direction to the court below to expedite the trial. Now the learned Judicial First Class Magistrate (temporary) South Paravur has reported that C.C No.91/2011 originally filed before the Judicial First Class Magistrate Court -I, Paravur now stands transferred to the Judicial First Class Magistrate Court (temporary), and the case now stands renumbered as C.C No.24/2014. The report of the learned Magistrate shows that summons was already issued to the material witnesses but nobody appeared in court on summons on the posting date. Now the court has ordered summons to the witnesses again. It appears that there is huge pendency in the court below. In the situation of huge pendency, a time bound

disposal cannot be directed by this court. However a direction can be made to the court below to make earnest efforts to try and dispose of the case at the earliest, considering the grievance of the petitioners that they are youngsters, and that delay in the trial process will adversely affect their job prospects and opportunities.

In the result, this petition is closed with direction to the court below that earnest efforts shall be made to procure the presence of witnesses for trial in C.C No.24/2014, and that the case shall be tried and disposed of as expeditiously as possible, considering the genuine grievance projected by the petitioners.

P.UBAID,
JUDGE

sab