

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

Tr.P(Crl.).No. 65 of 2015

**TO TRANSFER C.C.NO.1793/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT
KUTHUPARAMBA TO THE CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM
OR CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA**

PETITIONER(S)/ACCUSED :

- 1. SREEJITH,
S/O.SREEDHARAN, KUTTIPOOTHATHINKAL HOUSE,
KARIMKUNNAM VILLAGE, IDUKKI DISTRICT.**
- 2. JOMON JOSEPH,
S/O.JOSEPH, THONICKATHADATHIL HOUSE, PURAPUZHA,
IDUKKI DISTRICT.**
- 3. RAJEEV,
S/O.SANKARANKUTTY, VAYALAM KARA HOUSE, KILIYARA KARA
KARIMANNOOR VILLAGE, IDUKKI DISTRICT.**
- 4. BINU CHELLAPPAN,
S/O.CHELLAPPAN, CHITTOMAPPARA HOUSE, POONJAR,
THEKKEKARA, KOTTAYAM DISTRICT.**
- 5. RATHEESH REVINDRAN,
S/O.REVINDRAN, THALAPOLIMATTATHIL HOUSE, KUNINJI,
KODIKUTHI, PURAPUZHA P.O., THODUPUZHA, IDUKKI DISTRICT.**

BY ADV. SRI.P.B.AJOY

RESPONDENT(S)/STATE/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.P.MAYA

**THIS TRANSFER PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 01-09-2015, ALONG WITH Tr.P(Crl.).No.66 OF 2015, AND
Tr.P(Crl.).No.68 OF 2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A: THE TRUE COPY OF THE FIRST INFORMATION REPORT IN
CRIME NO.737/2013 OF THE KUTHUPARAMBA POLICE
STATION PENDING BEFORE THE JUDICIAL FIRST CLASS
MAGISTRATE COURT, KUTHUPARAMBA.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
Tr.P.(Crl.) Nos.65, 66 & 68 of 2015
.....

Dated this the 1st day of September, 2015

O R D E R

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Petitioners are the accused in around 27 cases of similar nature, which had allegedly occurred in different parts of the State of Kerala. The offences alleged are mainly the one under Section 379 read with Section 34 IPC. The present request of the petitioners is to have all the said cases transferred to the Chief Judicial Magistrate's Court, Ernakulam or to the Chief Judicial Magistrate's Court, Thodupuzha.

2. On hearing the learned counsel for the petitioners and the learned Public Prosecutor and considering the facts and circumstances of these cases, this Court is of the view that it is not just and convenient in the interest of justice to

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: 2 :

order such a transfer as requested. Of course, the petitioners may be able to apply under Section 219(1) Cr.P.C., if so entitled.

With the said observations, these transfer petitions are dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/01/09

// True Copy //

PA to Judge