

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Tr.P(Crl.).No. 76 of 2015 ()

**SC.NO. 32/2012 OF ADDITIONAL DISTRICT COURT, SPECIAL COURT (NDPS ACT
CASES), VATAKARA**

PETITIONERS/ACCUSED 1 & 2:

- 1. BALAN, S/O SANKARAN, AGED 57 YEARS,
'KUNIYIL HOUSE', (KALLOTT),
P.O.THUNERI, VATAKARA TALUK.**
- 2. VANAJA, AGED 47 YEARS, W/O BALAN T.P.,
'KUNIYIL HOUSE', (KALLOTT), P.O. THUNERI,
VATAKARA TALUK.**

BY ADV. SRI.ZUBAIR PULIKKOOL

RESPONDENT/PETITIONER:

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

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS TRANSFER PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 05-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Tr.P(Crl.).No. 76 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

- | | |
|---------|---|
| ANNEX 1 | COPY OF THE PRIVATE COMPLAINT |
| ANNEX 2 | COPY OF THE SUMMONS ISSUED TO THE 1ST PETITIONER. |
| ANNEX 3 | COPY OF THE SUMMONS ISSUED TO 2ND PETITIONER. |
| ANNEX 4 | COPY OF THE SUMMONS ISSUED BY THE ASSISTANT SESSIONS COURT VATAKARA TO THE SON OF THE PETITIONER. |

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B.KEMAL PASHA, J.

=====

Tr.P.(Crl.) No. 76 of 2015

=====

Dated this the 5th day of October, 2015

ORDER

The case against the petitioners is pending as S.C No.32/2012 before the Additional Sessions Court - Special Judge NDPS Act cases - Vatakara. The petitioners are A2 and A3 in Crime No.475/2008 of the Edacheri Police Station, for the offence punishable under Section 306 IPC. The 1st accused, who is the son of the petitioners was absconding and later, the case against him was also committed and presently, the same is pending as S.C No.198/2014 before the Assistant Sessions Court, Vatakara. When both the cases have arisen from the very same crime, both the cases have to be tried and disposed of by the same court. Matters being so, S.C No.32/2012 before the Additional Sessions Court - Special Judge NDPS Act cases - Vatakara, can be transferred to the Assistant Sessions

Court, Vatakara.

In the result, this Transfer Petition is allowed and S.C No.32/2012 before the Additional Sessions Court - Special Judge NDPS Act cases - Vatakara, is transferred to the Assistant Sessions Court, Vatakara.

Sd/-
B.KEMAL PASHA, JUDGE

stu