IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 16TH DAY OF DECEMBER 2020 / 25TH AGRAHAYANA, 1942

Crl.MC.No.7406 OF 2015

LP 18/2015 OF CHIEF JUDL.MAGISTRATE, ERNAKULAM

CRIME NO.3837/2011 OF Ernakulam Central Police Station , Ernakulam

PETITIONERS/1ST & 2ND ACCUSED:

1 RAJESH
AGED 41 YEARS
S/O. KRISHNA PILLAY, KUTTIKATTU HOUSE,
ST.ALBET'S COLLEGE LAND, ERNAKULAM-682 031.

2 SAROJAM
AGED 67 YEARS
W/O. KRISHNA PILLAY, KUTTIKATTU HOUSE,
ST.ALBET'S COLLEGE LANE, ERNAKULAM-682 031.

BY ADVS.
SRI.B.S.SURESH KUMAR
SRI.R.ARUN (PALLURUTHY)

RESPONDENTS/STATE & DEFACTO COMPLAINANT:

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

2 TEH SUB INSPECTOR OF POLICE
CENTRAL POLICE STATION, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682 031.

3 SANDHYA
AGED 35 YEARS
D/O. PARAMESHWARAN NAIR, THUNDIPARAMBIL HOUSE, VENMALLA
P.O., ERNAKULAM-682 018.

BY ADVS.
SRI.SAIGI JACOB PALATTY, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 16.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ALEXANDER THOMAS, J.

Criminal M.C. No. 7406 of 2015

Dated this the 16th day of December, 2020

O R D E R

The prayers in the above Criminal Miscellaneous Case filed under Sec.482 of Cr.PC are as follows:

> *"(i) Issue an order directing to quash Anx.1 charge sheet in crime No.3837/2011 of Central Police Station in C.C No.113/12 in L.P No.18/15 on the files of Hon'ble Chief Judicial Magistrate Court, Ernakulam.*
> *(ii) Grant such other relief as may be deemed fit and proper in the circumstances of the case by this Hon'ble Court."*

2. Though the above Crl.M.C has been filed as early as on 24-11-2015, the Registry has noted that till date the petitioners have not taken any steps to take out notice to R3 in spite of the order passed by this Court on 25-11-2015, directing the petitioners to take out notice to R3. Further it is apprised this Court that the case is still included in the long pending case list as LP No. 18/2015 on the file of the Chief Judicial Magistrate Court, Ernakulam and warrant against the petitioner is still pending. Though this court had directed on 25-11-2015 that the petitioners should surrender and seek for bail, they have not cared to do so.

3. In the light of these aspects, the petition is only to be dismissed for non-prosecution.

Accordingly the above Criminal Miscellaneous Case will stand dismissed.

Sd/-
ALEXANDER THOMAS,
JUDGE

KAS

APPENDIX

PETITIONER'S/S EXHIBITS:

ANNEXURE A1	**CERTIFIED COPY OF THE CHARGE SHEET IN CRIME NO.3837/2011 OF CENTRAL POLICE STATION IN C.C NO.113/2012 IN L.P NO.18/15 ON THE FILES OF HUMBLE CHIEF JUDICIAL MAGISTRATE COURT-ERNAKULAM**

RESPONDENT'S/S EXHIBITS: **NIL**