IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 22ND DAY OF JULY 2024 / 31ST ASHADHA, 1946

OP(CRL.) NO. 533 OF 2024

IN CC NO.309 OF 2021 OF JUDICIAL MAGISTRATE OF FIRST CLASS -I, PUNALUR

PETITIONER/ACCUSED 1 AND 2:

1 SIJO JOY
AGED 46 YEARS
S/O JOY,
RESIDING AT KALLIDUKKIL (H),
ALAKODE P.O., THODUPUZHA,
IDUKKI DISTRICT, PIN – 685588

2 ZEN JAMES
AGED 38 YEARS
S/O T M VARGHESE,
RESIDING AT PULLIL THADATHIL VEEDU,
NELLIKKAMON, NELLIKKAMON P.O., RANNI TALUK,
PATHANAMTHITTA DISTRICT, PIN – 689674

BY ADVS.
NIRMAL V NAIR
ANEES.T
ENCIL K. SABU
MOHAMMED MUSHTHAQ S.

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN – 682031

BY ADV.ASHI.M.C,
PUBLIC PROSECUTOR

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 22.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

O.P.(Crl.). No.533 of 2024

Dated this the 22nd day of July, 2024

JUDGMENT

Petitioners seek for an expeditious disposal of C.C.No.309/2021 on the file of the Judicial First Class Magistrate Court-I, Punalur; in a time bound manner.

2. The Supreme Court has time and again observed that the Constitutional Courts must in the ordinary course restrain itself from issuing directions for a time bound disposal of cases pending before the trial courts. [Reference to the decision in ***High Court Bar Association, Allahabad v. State of UP & Others*** *[2024 INSC 150]* is appropriate]. If a direction is issued by this Court, it will be overlooking the priority of other cases. Therefore, the relief sought for is only to be declined.

3. However, if any request for an out of turn priority is sought for by petitioner, the learned Magistrate will be at liberty to consider the request, notwithstanding the disinclination of this Court to issue any directions in that regard.

With the above observations, this original petition is disposed of.

Sd/-

BECHU KURIAN THOMAS
JUDGE

Jka/22.07.24

APPENDIX OF OP(CRL.) 533/2024

PETITIONERS' EXHIBITS

Exhibit P1	**A TRUE COPY OF THE FIR DATED 9-6-2020 IN CRIME NO. 755/2020 OF THE KULATHUPUZHA POLICE STATION**
Exhibit P2	**A TRUE COPY OF THE DETAILS OF THE ENTIRE CASE PROCEEDINGS IN C.C. NO. 309/2021 ON THE FILES OF THE JUDICIAL MAGISTRATE OF FIRST CLASS- I, PUNALUR**
Exhibit P3	**A TRUE COPY OF THE CASE PROCEEDINGS DATED 18-3-2023**
Exhibit P4	**A TRUE COPY OF THE CASE PROCEEDINGS DATED 13-11-2023**