2025:KER:31790

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

WP(CRL.) NO. 432 OF 2025

PETITIONER:

**BABY M.C, AGED 53 YEARS, W/O. SANTHOSH KUMAR
KRISHNALAYAM DHARMADAM MEETHALEPEEDIKA,
PAREEKKADAV KANNUR DISTRICT -, PIN - 682003**

**BY ADVS.S.RAJEEV
V.VINAY, M.S.ANEER
ANILKUMAR C.R., K.S.KIRAN KRISHNAN
SARATH K.P., DIPA V.**

RESPONDENT/STATE:

1 **STATE OF KERALA
REP. BY PRINCIPAL SECRETARY (HOME), DEPARTMENT OF HOME AFFAIRS, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001**

2 **STATE POLICE CHIEF
POLICE HEADQUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM –, PIN - 695010**

3 **SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE, KANNUR DISTRICT –, PIN - 670002**

4 **STATION HOUSE OFFICER, DHARMADAM POLICE STATION, KANNUR DISTRICT -, PIN - 670106**

SRI.M.P. PRASANTH, PP

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION ON 11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner who is the victim in S.C.No.792/2017 pending on the files of the Additional District and Sessions Court-I, Thalassery (for short the trial court) filed Ext.P2 representation before the 1st respondent for appointment of a Special Public Prosecutor.

2. I have heard both sides.

I have called for a report from the trial court. The report would show that the case had been scheduled for trial from 3.2.2025 to 24.2.2025. Already 14 witnesses were examined. Now the case has been scheduled on 9.5.2025 and 12.5.2025 to 15.5.2025 for examination of some more witnesses. Ext.P2 was filed in the month of January, 2025. The 1st respondent is directed to take a decision on Ext.P2 as expeditiously as possible, taking into account the fact that the case is scheduled for trial for the examination of witnesses from 9.5.2025. The writ petition is disposed of.

Sd/-

DR. KAUSER EDAPPAGATH

JUDGE

kp

APPENDIX OF WP(CRL.) 432/2025

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.61/2017 OF DHARMADAM POLICE STATION**
Exhibit P2	**THE TRUE COPY OF THE REPRESENTATION DATED 15-01-2025 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT ALONG WITH CONSENT LETTER OF ADV.P. PREMARAJAN**
Exhibit P3	**THE TRUE COPY OF CIRCULAR NO.264/CA/2017/HOME DATED 18.09.2017 ISSUED BY THE 1ST RESPONDENT**
Exhibit P4	**THE TRUE COPY OF THE ORDER NO. G.O.(RT) NO.1034/2017/HOME DATED 25.04.2017 OF THE 1ST RESPONDENT**
Exhibit P5	**THE TRUE COPY OF THE ORDER NO. G.O.(RT) NO.1413/2024/HOME DATED 20.05.2024 OF THE 1ST RESPONDENT**
Exhibit P6	**THE TRUE COPY OF THE ORDER NO. G.O.(RT) NO.1457/2021/HOME DATED 24.05.2021 OF THE 1ST RESPONDENT**
Exhibit P7	**16. THE LIST OF CASES IN WHICH SPECIAL PUBLIC PROSECUTORS WERE APPOINTED IN WHICH THE CPM ACTIVIST WERE VICTIMS AND THE RSS/BJP ACTIVIST WERE ACCUSED**