

**Sreekanth Vs. State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1013432](http://sooperkanoon.com/1013432)

**Court :** Kerala

**Decided On :** Jan-29-2013

**Judge :** Honourable Mr.Justice T.R.Ramachandran Nair

**Appellant :** Sreekanth

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR TUESDAY, THE 29TH DAY OF JANUARY 2013 9TH MAGHA 193 CrI.MC.No. 565 of 2013 (B) ----- [CRIME NO. 77/2013 OF PARIPPALLY POLICE STATION , KOLLAM DISTRICT] ..... PETITIONERS: ----- 1. SREEKANTH,S/O.BABU, AGED 2 YEARS, SREEJA BHAVAN,MANTHROTHURATH P.O, NANMANI NORTH, KOLLAM (DRIVER OF JCB BEARING REGISTRATION NO.KL-23-E-9050).

2. ANEES.P, S/O.PAREETHKUNJU,AGED 2 YEARS, CHEMATH,PUTHENCHANTHA P.O, PANMANA,CHAVARA, KOLLAM (OWNER OF JCB BEARING REGISTRATION NO.KL-23-E-9050). BY ADV. SRI.P.M.ZIRAJ.

RESPONDENT: ----- STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR HONOUROABLE HIGH COURT OF KERALA AT ERNAKULAM, THROUGH THE SUB INSPECTOR OF POLICE, PARIPPALLY

POLICE STATION,KOLLAM DISTRICT. BY PUBLIC PROSECUTOR SRI. T. RAMAPRASAD UNNI. THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Prv. CRL.M.C. NO.565/2013-C: APPENDIX PETITIONER'S ANNEXURE: ANNEXURE -I: COPY OF THE FIRST INFORMATION REPORT DTD. 16/01/2013 IN CRIME NO.77/2013 OF PARIPPALLY POLICE STATION. RESPONDENTS ANNEXURES: NIL. //TRUE COPY// P.A. TO JUDGE Prv. T.R. RAMACHANDRAN NAIR, J.

~~~~~ Criminal

M.C.No.565/2013

~~~~~ Dated this the 29th day of January, 2013

## ORDER

The petitioners have approached this Court seeking for a direction to consider the application for compounding. Out of the two petitioners, the first petitioner is the accused in Crime No.77/2013 of Parippally Police Station and the second petitioner is the owner of the vehicle which has been seized. The offences alleged are under Section 4 read with Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

2. It is submitted by the learned counsel for the petitioners that they are ready to compound the offences under Rule 60A(1) of the Kerala Minor Mineral Concession Rules but no opportunity is being granted by the Sub Inspector of Police, Parippally Police Station.

3. The accused will file a proper application for compounding which will be duly considered and appropriate decision will be taken within a period of ten days from the date of filing of the application. The respondent is free to take a decision as regards to the application for compounding. If the compounding application is allowed, necessary compounding fee will be collected. On production of the valid documents regarding the vehicle, the vehicle will be released to the registered owner, if the compounding application is allowed. If the compounding application is Crl.M.C No.565/2013 -:2:- not being allowed, the respondent will be free to proceed in accordance with law. The criminal miscellaneous case is disposed of as above. Sd/- (T.R. Ramachandran Nair, Judge.) ms

