

Sampath Vs. the State of Kerala

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Court : Kerala

Decided On : Jan-31-2013

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

Appellant : Sampath

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR THURSDAY, THE 31ST DAY OF JANUARY 2013 11TH MAGHA 193 CrI.MC.No. 3679 of 2012 ()
----- AGAINST THE ORDER IN CC.440/2011 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I,ATTINGAL CRIME NO. 8/2011 OF POTHENCODE POLICE STATION , THIRUVANANDAPURAM -----
PETITIONERS: ----- 1. SAMPATH, AGED 4 YEARS, S/O BALAKSRISHNAN, PATTARAYIL VEEDU,KATTAYIKONAM WARD ANDOORKONAM VILLAGE (A1).

2. JIDIN, S/O JAYAKUMAR,OF DO.-DO. (A2).

3. OMANA, AGED 6 YEARS, D/O CHELLAMMA,OF DO- DO. (A3).

4. SOBHA, AGED 4 YEARS, D/O OMANA,OF DO-DO (A4). BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR RESPONDENTS: ----- 1. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM THROUGH S.I. POLICE POTHENCODE

POLICE STATION THIRUVANANTHAPURAM (RURAL).

2. SUDHA DEVI, AGED 36 D/O. CHANDRAMATHY, CHANTHAVILAKOM VEEDU, T.C.30/903 PETTAH JUNCTION, PETTAH WARD PETTAH VILLAGE. (DEFACTO COMPLAINANT) PIN:

695. 024. R1 BY PUBLIC PROSECUTOR SRI.T.RAMAPRASAD UNNI THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: VK CrI.MC.No. 3679 of 2012 () ----- APPENDIX ----- PETITIONER'S ANNEXURES ----- ANNEXURE A. CERTIFIED COPY OF THE POLICE CHARGE (FINAL REPORT) ANNEXURE B. COPY OF THE DIVORCE PETITION RESPONDENT'S EXHIBITS : nil ----- / TRUE COPY / P.A. TO JUDGE T.R. RAMACHANDRAN NAIR, J.

~~~~~ Criminal M.C.No.3679/2012  
~~~~~ Dated this the 31st day of January, 2013

ORDER

The petitioners are accused Nos.1 to 4 in C.C.No.440/2011 on the file of the Judicial First Class Magistrate Court-I, Attingal wherein the offences alleged are under Section 498A read with Section 34 of the Indian Penal Code. The second respondent is the de facto complainant. The main prayer in the criminal miscellaneous case is to quash Annexure-A final report in the said case. Various grounds have been raised herein also.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. A report was called for by this Court and the report submitted, dated 06/12/2012, will show that summons were issued to accused Nos.1 to 4 and they had appeared before the court below on 24/04/2012 with sureties and they have been enlarged on bail. The case was posted to 11/01/2013 for framing charge. It is also informed that there is no impediment for trial of the case.

4. The learned counsel for the petitioners therefore prays that the trial of the case may be expedited.

5. In the light of the report made by the learned Magistrate, there will be a direction to dispose of the matter expeditiously, at any rate, within CrI.M.C No.3679/2012 - :2:- a period of three months. The criminal miscellaneous case is accordingly disposed of. Sd/- (T.R. Ramachandran Nair, Judge.) ms

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