

Chidambara Vs. Venugopal.

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Court : Kerala

Decided On : Jan-29-2014

Judge : Honourable Mr. Justice K.Ramakrishnan

Appellant : Chidambara

Respondent : Venugopal.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN WEDNESDAY, THE 29^H DAY OF JANUARY 2014 9TH MAGHA, 1935 CrI.MC.No. 5468 of 2013
----- AGAINST THE

ORDER

IN CrI.Rev.Pet No. 951/2000 DATED 2003-2007 PETITIONER(S):
----- K.CHIDAMBARA, S/O.BABU, MANNIPPADY, RAMDAS NAGAR, KASARAGOD DISTRICT. BY ADV. SRI.N.RAJESH RESPONDENT(S):
----- 1. VENUGOPAL, FORMER C.I OF POLICE, KUMBALA POLICE STATION.

2. T.P.RANJITH, FORMER S.I OF POLICE, KUMBALA POLICE STATION.

3. BABU, CIVIL POLICE OFFICER, KUMBALA POLICE STATION.

4. STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA. R4 BY PUBLIC PROSECUTOR SRI.K.K.RAJEEV THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29.01.2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Kss CrI.MC.No. 5468 of 2013 ----- APPENDIX PETITIONER(S)' ANNEXURE: ----- ANNEXURE A1. COPY OF THE

ORDER

DATED 20.03.2007 IN CRRP NO.951/2000 OF THIS HONOURABLE COURT. RESPONDENT(S)' ANNEXURES: ----- N I L /TRUE COPY/ P.A.TO JUDGE Kss K.RAMAKRISHNAN, J.

----- CrI.M.C. No. 5468 of 2013 ----- Dated this the 29th day of January 2014.

ORDER

This is an application filed by the petitioner for speedy disposal of the case by issuing direction to the concerned Magistrate to expedite the disposal of C.C.No. 1048/1998 pending before that court under Section 482 Code of Criminal Procedure (hereinafter called the Code).

2. This is a petition filed by the petitioner alleging that he filed a private complaint before the Judicial First Class Magistrate Court, Kasaragod against respondents 1 to 3 who are Police Officials. After recording the statement of the petitioner and four witnesses produced by him and considering the documents produced, the learned Magistrate took the complaint on the file as C.C.No. 1048/1998 for the offence punishable under Section 341, 342, 323, 324 r/w 34 of Indian Penal Code. By order dated 10.7.2000, the learned Magistrate discharged the respondents 1 to 3 and that was challenged by the petitioner before this Court by filing CrI.R.P. 951/2000. As per Annexure A1 order, dated 20.3.2007, this Court has allowed the revision and set aside the order of discharge and CrI.M.C. No.5468/2013 :

2. : directed the trial court to consider the matter afresh and dispose of the same, in accordance with law untrammelled by any observations made on the merits of

the case and directed the parties to appear before the trial court on receipt of notice to the respective counsel from the trial court. Since, the Magistrate did not comply with the directions in Annexure A1 order, the petitioner has come to this Court with the above application for the above relief.

3. When remark was called for from the concerned Presiding Officer, the learned Magistrate has sent a report stating that the records have been traced out and notice has been issued to the counsel for the complainant, parties and respondents to appear on 30.12.2013 and also stated in the report that the case will be disposed of within three months. So, I feel that, the above report of the learned Magistrate can be recorded and the petition can be closed. Counsel for the petitioner also submitted that the above report can be recorded and the petition can be closed. Accordingly, the report of the concerned Presiding Officer is recorded and the petition is closed. Sd/- K.RAMAKRISHNAN Judge. AL/- True copy P.A to Judge

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