

Harris vs the Sub Inspector of Police

Harris vs the Sub Inspector of Police

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Court : Kerala

Decided On : Mar-27-2025

Judge : Honourable Mr. Justice S.Manu

Appeal No. : CrI.MC/1435/2021

Appellant : Harris

Respondent : The Sub Inspector of Police

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE S.MANU THURSDAY,
THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947 CRL.MC NO.
1435 OF 2021 CRIME NO.1631/2020 OF Pallithottam Police Station,
Kollam AGAINST ORDER DATED 24.02.2021 IN CrI.M.P.No.1107/2020
in

CrI.M.C.No.1260 OF 2020 OF PRINCIPAL SESSIONS COURT,
KOLLAM PETITIONER/ACCUSED: HARRIS S/O.SHIHAB,
JONAKAPPURAM KADAPPURAM PURAMBOKE, VALIYAKADA
CHERRY, KOLLAM WEST VILLAGE, KOLLAM. BY ADVS. B.DIPU
SACH DEV G.HARIPRASAD RESPONDENT/STATE: 1 THE SUB

INSPECTOR OF POLICE PALLITHOTTAM POLICE STATION,
KOLLAM - 691 013. 2 STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM -
682 031. OTHER PRESENT: SR.PUBLIC PROSECUTOR-
SRI.C.N.PRABHAKARAN THIS CRIMINAL MISC. CASE HAVING
COME UP FOR ADMISSION ON 27.03.2025, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:

S.MANU, J.

Crl.M.C.No.1435 of 2021 Dated this the 27th day of March, 2025

ORDER

This Crl.M.C. was filed aggrieved by Annexure-A4 order in Crl.M.P.No.1107/2020 in Crl.M.C.No.1260/2020 of the court of the Principal Sessions Judge, Kollam. Crl.M.P.No.1107/2020 was filed by the Inspector of Police, Pallithottam Police Station for cancelling bail granted to the petitioner in Crl.M.C.No.1260/2020 alleging that the petitioner violated the

conditions imposed by the court. While granting bail, the Sessions Court had imposed a condition that the petitioner shall not involve in any other similar offences. However, he got involved in Crime No.1631/2020 of Pallithottam Police Station for having committed the offences under Sections 341, 294(b), 506(ii), 188, 447 and 34 of the IPC. The police also pointed out before the Sessions Court that the petitioner violated other conditions, by entering Kollam District and contacting the

witnesses, in violation of the bail conditions. The learned Sessions Judge, after hearing the learned Public Prosecutor and the learned counsel for the petitioner herein, passed a well- considered order allowing the petition and cancelling the bail granted on 24.9.2020, as per order in Crl.M.C.No.1260/2020. Permission was granted to the SHO to re-arrest the petitioner.

This Crl.M.C. came up for consideration on 09.03.2021 and thereafter on 30.07.2021. On the second occasion, this Court passed an order directing the petitioner to surrender before the jurisdictional court within a week. The Crl.M.C. was never listed again. Today, when the matter was taken up for consideration, there was no representation for the petitioner. In view of the

order passed on 30.7.2021 directing the petitioner to surrender

before the jurisdictional court and due to the passage of more than four years from the date of filing of this Crl.M.C., the relief sought in this Crl.M.C. has lost relevance. Hence, this Crl.M.C. is closed.

Sd/- S.MANU JUDGE skj APPENDIX OF CRL.MC 1435/2021 PETITIONER'S ANNEXURES ANNEXURE A1 THE CERTIFIED COPY OF THE ORDER DATED BY THE PRINCIPAL SESSIONS COURT, ANNEXURE A2 THE TRUE COPY OF THE PETITION DATED BEFORE THE PRINCIPAL SESSIONS COURT, ANNEXURE A3 THE TRUE CITIZENS COPY OF THE FIR NUMBER 1631/2020 DATED 04/11/2020 OF PALLITHOTTAM POLICE STATION. ANNEXURE A4 THE CERTIFIED COPY OF THE ORDER DATED CRL.M.C.NO.1260/2020 ON FILE OF THE PRINCIPAL SESSIONS COURT, KOLLAM. ANNEXURE A5 THE TRUE COPY OF THE ORDER DATED

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