

James vs State of Kerala

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Court : Kerala

Decided On : Jul-30-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/4082/2017

Appellant : JAMES

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
TUESDAY, THE 30TH DAY OF JULY 2024 / 8TH SRAVANA, 1946
CRL.MC NO. 4082 OF 2017 CRIME NO.741/2017 OF HILL PALACE
POLICE STATION, ERNAKULAM AGAINST THE ORDER/JUDGMENT
DATED 28.02.2017 IN OS NO.251 OF 2017 OF PRINCIPAL MUNSIF
COURT, ERNAKULAM PETITIONERS/ACCUSED NOS.1 TO 5:

1 JAMES POTHEN AGED ABOUT 62 YEARS, S/O POTHEN,
SECRETARY, ANSAL'S RIVER DALE OWNERS
ASSOCIATION, EROOR, RESIDING AT FB- 2, TOWN HOUSE,
ANSAL'S RIVER DALE RESIDENTIAL HOUSE, EROOR, ERNAKULAM

DISTRICT. 2 P.A GEORGE AGED ABOUT 55 YEARS, S/O., PLOT NO.22,ANSAL'S RIVER DALE RESIDENTIAL COLONY,EROOR, ERNAKULAM DISTRICT. 3 THOMSON AGED ABOUT 30 YEARS, S/O., MANAGER, ANSAL'S RIVER DALE OWNERS ASSOCIATION,EROOR, ERNAKULAM DISTRICT. 4 UNNIKRISHNAN AGED ABOUT 35 YEARS, S/O. ELECTRICIAN, ANSAL'S RIVER DALE OWNERS ASSOCIATION, EROOR, ERNAKULAM DISTRICT. 5 PRASAD AGED ABOUT 28 YEARS, S/O. PLUMBER, ANSAL'S RIVER DALE OWNERS ASSOCIATION,EROOR, ERNAKULAM DISTRICT. BY ADV. SRI.K.C.SUDHEER

RESPONDENTS/STATE AND COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. 2 M/S ANSAL HOSPITALITY AND LEISURE COMPANY P LTD REGIONAL OFFICE, DOOR NO.42/C & 42/C1,PLOT NO.7 & 8 , ANSAL RIVER DALE , EROOR, KOCHI.682306, REPRESENTED BY VASANTHAKUMAR V, AGED 50 YEARS, S/O LATE. N. VARIJAKSHAN, AUTHORISED SIGNATORY. BY ADV. SRI.SANGEETHARAJ N.R., PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- Dated this
the 30th day of July, 2024

ORDER

This Criminal Miscellaneous Case is filed to quash the proceedings in Anneuxre A1 FIR.

2. This Crl.M.C is pending before this Court

from 2017 onwards. When this Crl.M.C came up for consideration on 23.06.2017, this Court ordered that the petitioners shall not be arrested or summoned to the police station until further orders. Probably, the final report might have been submitted before the court concerned. If the final report is not filed and the investigation is still pending, and if the presence of the petitioner is necessary, two weeks prior notice should be given to the petitioners. With the above observation, this Criminal Miscellaneous Case is disposed of. Sd/- P.V.KUNHIKRISHNAN
JUDGE DM APPENDIX OF CRL.MC 4082/2017 PETITIONER ANNEXURES
ANNEXURE A1 CERTIFIED COPY OF HE FIR IN CRIME NO.741 IF 2017 OF
HILL PALACE POLICE STATION DATED 20.4.2017.

ANNEXURE A2

CERTIFIED COPY OF THE PRIVATE

HOSPITALITY & LEISURE COMPANY (P) LIMITED. ANNEXURE A3 TRUE COPY
OF THE PLAIN AS O.S NO.251 OF 2017 BEFORE THE MUNSIFF'S COURT ,
ERNAKULAM DATED 28.2.2017. RESPONDENTS EXHIBITS: NIL //TRUE
COPY// PA TO JUDGE

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