

Anilkumar vs State of Kerala

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Court : Kerala

Decided On : Jul-31-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/5605/2017

Appellant : Anilkumar

Respondent : State of Kerala

Judgement :

CRL.MC NO. 5605 OF 2017 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF JULY 2024 / 9TH SRAVANA, 1946
CRL.MC NO. 5605 OF 2017 CRIME NO.182/2006 OF Aryancode Police
Station, Thiruvananthapuram AGAINST THE ORDER/JUDGMENT
DATED IN CC NO.918 OF 2006 OF JUDICIAL MAGISTRATE OF FIRST
CLASS -I, NEYYATTINKARA PETITIONER/S: ANILKUMAR AGED 31
YEARS S/O. BABU, AGED 31 YEARS, ANIL BHAVAN, VENGAVILA,
KADUKKAMOODU, VELLANADU DESOM, VELLANADU VILLAGE,
THIRUVANANTHAPURAM TALUK. BY ADVS. SRI.G.SUDHEER

SMT.N.P.ASHA RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 31. 2 BABY AGED 55 YEARS D/O.RAJAMMA PANDIMAMPARA THADATHARIKATHU VEEDU PANDIMAMPARA ,VAZHICAL DESOM OTTASEKHARAMANGALAM VILLAGE THIRUVANANTHAPURAM DISTRICT -695504 3 SARASWATHY AGED 50 YEARS D/O BHARATHI PANDIMAMPARA THADATHARIKATHU VEEDU VAZHICAL DESOM OTTASEKHARAMANGALAM VILLAGE THIRUVANANTHAPURAM DISTRICT -695504

CRL.MC NO. 5605 OF 2017 2 OTHER PRESENT: SRI.RENJITH.T.R, SR.PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CRL.MC NO. 5605 OF 2017 3 P.V.KUNHIKRISHNAN, J ----- CrI.M.C. No.5605 of 2017 ----- Dated this the 31st day of July, 2024

ORDER

This CrI.M.C. is filed to quash proceedings in CC No. Neyyattinkara which is pending as LP No. 38/2010 in Crime No. the defect list because the service to respondent Nos. 2 and 3 is not complete. This CrI.M.C. is pending before this Court from 2017 onwards and no interim order is passed in this case. Now, it is submitted by the learned counsel for the petitioner that the petitioner surrendered before the trial court and the charge is already framed. If that is the case, I am of the considered opinion that fresh notice to respondent Nos 2 and 3 need not be issued. The contentions raised by the petitioner in this CrI.M.C. can be CrI.MC NO. 5605 OF 2017 4 raised before the trial court at the appropriate stage. The Judicial First Class Magistrate Court-I, Neyyattinkara will try to dispose the case as expeditiously as possible because the crime is registered in the year 2006. Leaving open all the contentions raised by the petitioner in this CrI.M.C. and to raise the same at the appropriate stage before the trial court, this CrI.M.C. is

disposed of. sd/- P.V.KUNHIKRISHNAN JUDGE SKS CRL.MC NO. 5605 OF 2017
5 APPENDIX OF CRL.MC 5605/2017 PETITIONER ANNEXURES ANNEXURE A
COPY OF THE FIR IN CRIME NO. 182/2006 OF ARYANCODE POLICE
STATION DATED ANNEXURE B ATTESTED COPY OF THE FINAL REPORT IN
C.C.NO. MAGISTRATE COURT-I, NEYYATTINKARA PENDING AS L.P. NO.
38/2010.

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