

Kannaraj vs State of Kerala

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Court : Kerala

Decided On : Jul-25-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/5163/2016

Appellant : Kannaraj

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
THURSDAY, THE 25TH DAY OF JULY 2024 / 3RD SRAVANA, 1946
CRL.MC NO. 5163 OF 2016 CRIME NO.382/2003 OF MUSEUM
POLICE STATION, THIRUVANANTHAPURAM AGAINST THE
ORDER/JUDGMENT DATED IN CC NO.114 OF 2013 OF CHIEF

JUDICIAL MAGISTRATE, THIRUVANANTHAPURAM / SPECIAL
COURT FOR TRIAL OF CYBER CRIME PETITIONER/2ND ACCUSED:
KANNARAJ S/O NATARAJAN CHETTIYAR, MD, KANOLIL FOODS
LTD, TC 20/959, KARAMANA, THIRUVANANTHAPURAM DISTRICT.
BY ADVS. SRI.P.K.IBRAHIM SMT.K.P.AMBIKA SRI.A.L.NAVANEETH
KRISHNAN SRI.K.THOMAS ALIAS RESPONDENTS / DEFACTO

COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY THE SUB INSPECTOR OF POLICE, HARIPAD P.O, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. 2 KERALA STATE INDUSTRIAL DEVELOPMENT CORPORATION LTD. 3 ADDL. R3. V SURESH KUMAR AGED 54 YEARS, S/O VASUDEVAN NAIR, RESIDING AT TC 20/922, CHITHRAM BHAVAN, KARAMANA, THIRUVANATHAPURAM 4 ADDL. R4. B N AMARNATH RAO AGED 55 YEARS, RESIDING AT FLAT NO 410, CENTRAL VIEW APARTMENT, SECUNDARABAD, TELUNGANA, PIN - 500 003

(ADDL. RESPONDENTS 3 AND 4 IS IMPEADED AS PER ORDER

DATED 05.04.2019 IN CRL.MA. NO.01/2019) BY ADVS. SMT. NIMA JACOB, PP SRI.P.U.SHAILAJAN, SC, KSIDC THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 25.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- Crl. M.C. No. 5163 of 2016
----- Dated this the 25th day of July, 2024

ORDER

This Criminal Miscellaneous Case is filed to quash the proceedings in C.C. No.114/2013 of Chief Judicial Magistrate Court, Thiruvananthapuram. As per the e-court service website, it is clear that the evidence is already started and PW1 and PW2 were already examined. The summons is issued to the other witnesses. In such circumstances, this Court need not interfere with the prosecution invoking the powers under Section 482 of Cr.P.C. All the contentions raised by the petitioner in this Crl.MC are left open and the petitioner is free to agitate the same before the trial court at the appropriate stage. With the above observation, this Criminal Miscellaneous Case is disposed of. Sd/- P.V.KUNHIKRISHNAN JUDGE
nvj APPENDIX OF CRL.MC 5163/2016 PETITIONER ANNEXURES ANNEXURE A1 TRUE COPY OF THE FIR DATED 08-12-2003 ANNEXURE A2 TRUE COPY

OF THE FINAL REPORT DATED 28-05-2008 IN CRIME NO 382/2003 OF MUSEUM POLICE STATION. ANNEXURE A3 TRUE COPY OF THE LETTER DATED 24-01-2012 SUBMITTED BY THE 2ND RESPONDENT TO THE DISTRICT COLLECTOR. ANNEXURE A4 CERTIFIED COPY OF THE COURT CHARGE DATED 05-10-2015. RESPONDENTS EXHIBITS : NIL //TRUE COPY// PA TO JUDGE

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