

Megha P. Kumar vs State of Kerala

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Court : Kerala Orders

Decided On : Jun-06-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/1003/2024

Appellant : Megha P. Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
THURSDAY, THE 6TH DAY OF JUNE 2024 / 16TH JYAISHTA, 1946
CRIME NO.21/2023 OF VANITHA CELL, ALP, ALAPPUZHA AGAINST
THE ORDER/JUDGMENT DATED IN CP NO.82 OF 2023 OF JUDICIAL
MAGISTRATE OF FIRST CLASS, AMBALAPUZHA

PETITIONER/ACCUSED 1 AND 2: 1 MEGHA P. KUMAR AGED 22
YEARS D/O LEKHA KUMARI, LEKHA NIVAS, MATTOM SOUTH MURI,
THATTARAMBALAM P.O., MAVELIKARA, ALAPPUZHA DISTRICT, PIN
- 690103 2 LEKHA KUMARI AGED 48 YEARS D/O SARASAMMA,
LEKHA NIVAS, MATTOM SOUTH MURI, THATTARAMBALAM P.O.,
MAVELIKARA, ALAPPUZHA DISTRICT, PIN - 690103 BY ADVS.

GEORGE VARGHESE(PERUMPALLIKUTTIYIL) MANU SRINATH
NIMESH THOMAS LIJO JOHN THAMPY SAURAV VINOD
RESPONDENTS/STATE & DEFACTO COMPLAINANT: 1 STATE OF
KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, PIN - 682031 2 BINDU ANIL AGED 41 YEARS W/O ANIL,
ANIL BHAVANAM, NJAKKANAL MURI, KARUNAGAPPALI TALUK,
OACHIRA VILLAGE, KERALA, PIN - 690526 BY ADV SUJINI.S PP
NIMA JACOB THIS CRIMINAL MISC. CASE HAVING COME UP FOR
ADMISSION ON 06.06.2024, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

ORDER

Dated this the 6th day of June, 2024 This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973 and the prayers are as under: (i) quash Final Report dated 03.10.2023 filed before the Judicial First Class Magistrate Court, Ambalapuzha as C.P.No.82/2023 (Annexure 1) on the file of Judicial First Class Magistrate Court, Ambalapuzha and all further proceedings thereon;

(ii) quash Annexure 3- FIR No.21/2023 dated

19.06.2023 registered at Vanitha Police Station, Alappuzha which was initially numbered as F.I.R. No.613/2023 (Annexure 2) dated 18.06.2023 registered at Mavelikara Police Station;

(iii) grant any other reliefs which this Honourable Court deems just and proper.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. After arguing for a while, the learned counsel for

the petitioners sought permission to withdraw this Crl.M.C. and submitted that the personal appearance of the petitioners before the trial court may be dispensed with. Since nothing substantiated to quash the case against the petitioners, this petition stands dismissed as withdrawn. However, it is ordered that, the presence

of the petitioners for the purpose of trial can be limited and the same can be insisted on the date of framing charge, on the date of examining the crucial witnesses, during 313 examination and pronouncement of the judgment. Except for these purposes, the trial court is directed to exempt the petitioners from personal appearance on filing application. It is specifically ordered that the trial court is at liberty to direct the presence of the petitioners for facilitating trial, on any day, to effectuate trial and the petitioners must attend the trial on those specific days Registry is directed to forward a copy of this order to the trial court for information and further steps. Sd/- A. BADHARUDEEN JUDGE nkr

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