

Robert vs State of Kerala

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Court : Kerala

Decided On : Mar-20-2024

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : OP(Crl.)/250/2024

Appellant : Robert

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS WEDNESDAY, THE 20TH DAY OF MARCH 2024 / 30TH PHALGUNA, 1945 OP(CRL.) NO. 250 OF 2024 CRIME NO.72/2009 OF Kadinamkulam Police Station, AGAINST THE ORDER/JUDGMENT DATED IN CC NO.1123 OF 2019 OF JUDICIAL MAGISTRATE OF FIRST CLASS -I,ATTINGAL PETITIONER/S: ROBERT AGED 25 YEARS S/O TONY, THAIVILLAKAM VEEDU, PUTHENKURICHI DESOM, KADINAMKULAM, THIRUVANANTHAPURAM, PIN - 69530 BY ADV M.R.SARIN RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031 2 THE STATION HOUSE OFFICER

KADINAMKULAM POLICE STATION, THIRUVANANTHAPURAM,
KERALA, PIN - 69530 OTHER PRESENT: SMT. SREEJA V. (PP) THIS
OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 20.03.2024,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

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Dated this the 20th day of March 2024

JUDGMENT

Petitioner seeks for a direction for speedy disposal of

2. The Supreme Court has, time and again observed that the

Constitutional courts must refrain itself from issuing directions for time bound disposal of the matters pending before the Trial Courts. Grant of an out of turn priority to a particular case will interfere with the priority of other cases, and therefore, it would be arbitrary for this Court to issue such directions. However, it is always open to a party in a proceeding to request the court concerned to grant priority, and if the circumstances so warrant, the court will be entitled to grant such a priority.

3. Therefore, in the circumstances of the case, this Court is not inclined to issue any direction for speedy disposal of

4. However, if any request for an out of turn priority is sought

for by the petitioner, the learned Magistrate will be at liberty to consider granting such priority, notwithstanding the disinclination of this Court to issue any direction in that regard. With the above observations, this original petition is dismissed. sd/
BECHU KURIAN THOMAS JUDGE jm/ APPENDIX OF OP(CRL.) 250/2024
PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE FINAL REPORT AS CC
NO MAGISTRATE COURT I, ATTINGAL, IN CRIME NO Exhibit P2 THE TRUE
COPY OF THE E COURTS PROCEEDINGS IN

CC NO 1123/2019 BEFORE THE JUDICIAL FIRST- CLASS MAGISTRATE COURT I, ATTINGAL IN CRIME NO 72/2009 OF KADINAMKULAM POLICE STATION,

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