

Sojan vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1327136

Court : Kerala Orders

Decided On : Jul-31-2024

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : Crl.MC/4939/2024

Appellant : SOJAN

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS
WEDNESDAY, THE 31ST DAY OF JULY 2024 / 9TH SRAVANA, 1946 AGAINST
THE ORDER/JUDGMENT DATED IN CP NO.59 OF 2015 OF JUDICIAL
MAGISTRATE OF FIRST CLASS ,CHITTUR PETITIONERS: 1 SOJAN AGED 42
YEAR S/O., BABU ARACKAL VEEDU, CHEMMANAKANDAM DESOM PUTHUR
P.O, THRISSUR, PIN - 673104 2 RANEESH AGED 37 YEARS /O., BASHEER
PADUVINKAL HOUSE, PULIPARAMB MANNUTHI P.O, THRISSUR, PIN -
680561 BY ADVS. K.I.SAGEER MUHAMMED YASIL RESPONDENTS: 1 STATE
OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031 2 EXCISE INSPECTOR EXCISE RANGE OFFICE,
KOLLENGODE RANGE PALAKKAD, PIN - 678506 OTHER PRESENT: SMT.

NIMA JACOB (PP) THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

----- Crl.M.C No. 4939 of 2024
----- Dated this the 31st day of July, 2024

ORDER

Learned Counsel for petitioners seek permission to withdraw this CrI.M.C with liberty to file a fresh CrI.M.C.

2. On 10-06-2024, this Court on noticing that the case had been

transferred to the long-pending register, permitted the petitioners to surrender before the Court and also directed the learned Magistrate to consider the application for recall of warrant and bail on the same day itself, bearing in mind the acquittal of the co-accused. The learned counsel for the petitioners, however, submitted that, till date, the petitioners could not surrender. It is thereafter that this request for withdrawal of the petition is put forth.

3. Having regard to the above circumstances, I am of the view that

the liberty to file a fresh CrI.M.C cannot be granted. However, since the petitioners seek permission to withdraw this CrI.M.C, permission is granted to withdraw. Hence, this CrI.M.C is dismissed as withdrawn without granting liberty to file a fresh CrI.M.C. Sd/- BECHU KURIAN THOMAS JUDGE AJM APPENDIX OF CRL.MC 4939/2024 PETITIONER ANNEXURES Annexure-A1 A TRUE COPY OF THE FINAL REPORT DATED 23.06.2014 Annexure-A2 A CERTIFIED COPY OF THE JUDGMENT DATED 15.03.2019 IN S.C. NO. 510/2015 ON THE FILES OF ASSISTANT SESSIONS JUDGE PALAKKAD Annexure-A3 A TRUE COPY OF THE JUDGMENT DATED 17.08.2021 IN CRL.APPEAL NO.68/2019 ON THE FILES THE SESSION COURT, PALAKKAD