

Siraj vs Hamna

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Court : Kerala

Decided On : Jul-05-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/5742/2024

Appellant : SIRAJ

Respondent : HAMNA

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
FRIDAY, THE 5TH DAY OF JULY 2024 / 14TH ASHADHA, 1946
CRL.MC NO. 5742 OF 2024 PETITIONER/ACCUSED: SIRAJ, AGED 47
YEARS, S/O. KUNJIMUHAMMED, SHYLA MANZIL, GURUVAYOOR
P.O, GURUVAYOOR, CHAVAKKAD TALUK, THRISSUR DISTRICT,
PIN-680101 BY ADVS. RADHAKRISHNA PILLAI.G. T.A.SHAIN
RESPONDENTS/DEFACTO COMPLAINANT & STATE: 1 HAMNA,
AGED 37 YEARS, D/O SAYED ABDUL ALMEED @ AZAD, HOUSE NO:
35/H4 1 A3, WELFARE LANE, PALARIVATTOM SOUTH JANATHA
ROAD, 2 STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN-

682031 3 SHO PALARIVATTOM POLICE STATION, SHO, PALARIVATTOM POLICE STATION, SRI.RENJIT GEORGE, SENIOR PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -:2:-

ORDER

Dated this the 5th day of July, 2024 This Crl.M.C. has been filed by the petitioner, who is the sole accused in C.C. No.1336/2017 on the files of the Judicial First Class Magistrate Court-IX, Ernakulam under Section 528 of the Bharathiya Nagarik Suraksha Sanhita, 2023 seeking a direction to the learned Magistrate to hear and dispose of the above case.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor in detail.

3. In this case, the petitioner who got arrayed as the

accused in C.C. No.1336/2017 on the files of Judicial First Class Magistrate Court-IX, Ernakulam failed to appear before the court and accordingly, the learned Magistrate proceeded under Sections 82 and 83 of the Code of Criminal Procedure, though whether the matter moved to LP (Long Pending) Register is not disclosed in this petition. -:3:- Since the petitioner is ready to surrender before the Judicial First Class Magistrate Court to effectuate investigation, this petition stands allowed in part with a direction to the petitioner to surrender before the Jurisdictional Court within 7 days from today and on such surrender, if the petitioner files an application seeking regular bail, the Jurisdictional Court has to consider the same preferably on the same day or within a period of three days without fail, purely on merits. Sd/- A. BADHARUDEEN JUDGE bpr

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