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Akhil vs State of Kerala

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Court : Kerala Orders

Decided On : Apr-05-2023

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : Crl.MC/1647/2023

Appellant : AKHIL

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS WEDNESDAY, THE 5TH DAY OF APRIL 2023 / 15TH CHAITHRA, 1945 PETITIONERS/ACCUSED NO.1 TO 4:

1 AKHIL AGED 27 YEARS SON OF SASI, VATHAPILLY HOUSE,NEAR EZHAMTHARA KAVU,VENDUVAZHY KARA, KOTHAMANGALAM VILLAGE, ERNAKULAM 2 SHINTO SON OF THOMAS, PINDYKANAYIL HOUSE, MOSCOPADY BAGOM, VENDUVAZ KARA, KOTHAMANGALAM VILLAGE, ERNAKULAM DISTRICT,, PIN - 686666 3 SURESH SON OF KUMARAN, PUTHENPURA HOUSE, RATIONKADA BAGOM, ERAMALLOOR KARA, ERAMALLOOR

VILLAGE, ALAPPUZHA DISTRICT, PIN - 688537 4 AKHIL AGED 26 YEARS SON OF RAJU, ARACKAPUTHENPURA HOUSE, VILAYAL BAGOM, MATHIRAPILLY KARA, KOTHAMANGALAM VILLAGE, ERNAKULAM BY ADVS. PEEYUS A.KOTTAM RAGESH CHAND R.G.

RESPONDENTS/STATE DEFACTO COMPLAINANTS:

1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, COCHIN, PIN - 682031 2 STATION HOUSE OFFICER KOTHAMANGALAM POLICE STATION KOTHAMANMGALAM, PIN - 3 DEEPU SON OF SUBRAHMANYAN K.K, KOLLAMMAVUDI HOUSE, PANDIMANA KARA, PINDIMANA VILLAGE, ERNAKULAM DISTRICT, PIN - 4 BAVAS K.H SON OF HASSAN K.M, KUNJATTU HOUSE, PALLARIMANGALAM KARA, PALLARIMANGALAM VILLAGE, KOTHAMANGALAM TALUK, ERNAKULAM DISTRICT, PIN - 686671

5 SUDHEESH SON OF SUBRAHMANYAN, KOLLAMMAVUDI HOUSE, PINDIMANAKARA, PINDIMANA VILLAGE, KOTHAMANGALAM TALUK, ERNAKULAM DISTRICT, PIN - 686692 6 ELDOSE MATHEW SON OF MATHEW, CHUNDATTU HOUSE, KOTHAMANGALAM KARA, KOTHAMANGALAM VILLAGE, KOTHAMANGALAM TALUK, ERNAKULAM DISTRICT, PIN - 686691 BY ADV PUBLIC PROSECUTOR OTHER PRESENT: PP SRI.NOUSHAD K.A THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05.04.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

---------- Crl.M.C. No.1647 of 2023 ---------- Dated this the 5th day of April, 2023

ORDER

The learned Public Prosecutor upon instructions submitted that there are specific allegations against the petitioners that make out the offence under Section 307 of

IPC. The learned counsel for the petitioners seeks permission to withdraw this Crl.M.C with liberty to file a fresh one as and when circumstances arise. Accordingly reserving the liberty of the petitioner as aforesaid this Crl.M.C is dismissed as withdrawn. Sd/- BECHU KURIAN THOMAS JUDGE AJM APPENDIX OF CRL.MC 1647/2023 PETITIONER ANNEXURES Annexure A1 CERTIFIED COPY OF THE FIR SUBMITTED BY

THE 2ND RESPONDENT OF KOTHAMANGALAM POLICE STATION BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, KOTHAMANGALAM IN CRIME NO. 155/2023

Annexure A2 THE ORIGINALS OF THE AFFIDAVIT SWORN BY THE 3RD RESPONDENTS DEEPU BEFORE A NOTARY PUBLIC, EXPRESSING HIS NO Annexure A3 THE ORIGINALS OF THE AFFIDAVIT SWORN BY THE 4TH RESPONDENT BAVAS K.H. Annexure A4 THE ORIGINALS OF THE AFFIDAVIT SWORN BY THE 5TH RESPONDENT SUDHEESH BEFORE A NOTARY PUBLIC, EXPRESSING HIS NO Annexure A5 THE ORIGINALS OF THE AFFIDAVIT SWORN BY THE 6TH RESPONDENT ELDOSE MATHEW //TRUE COPY//

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