

S.Padmanabhan vs State of Kerala

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Court : Kerala

Decided On : Aug-23-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/3405/2015

Appellant : S.Padmanabhan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 23RD DAY OF AUGUST 2023 / 1ST BHADRA,
1945 CRL.MC NO. 3405 OF 2015 AGAINST THE ORDER/JUDGMENT
CC 482/2013 OF JUDICIAL MAGISTRATE OF FIRST CLASS -V,
THIRUVANANTHAPURAM(SPECIAL COURT-MARKLIST CASES)
CRRP 29/2014 OF II ADDITIONAL DISTRICT
COURT,THIRUVANANTHAPURAM

PETITIONER/REVISION	PETITIONER/1ST	ACCUSED:
S.PADMANABHAN	S/O.SUBA	RAO,T.C.28/1245,SWPRA-81,
KOTTAKKAKOM,	THIRUVANANTHAPURAM.	BY ADVS.

SRI.D.SAJEEV SMT.LIGEY ANTONY RESPONDENT/COUNTER PETITIONER/COMPLAINANT: STATE OF KERALA REPRESENTED BY THE SUB INSPECTOR OF POLICE, VALIYATHURA POLICE STATION,THIRUVANANTHAPURAM THROUGH THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA, HIGH COURT BUILDINGS,ERNAKULAM-682031. BY ADV. SMT.MAYA.M.N, PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 23.08.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- Crl.M.C. No.3405 of 2015
----- Dated this the 23rd day of August,
2023

ORDER

When this Criminal Miscellaneous Case came up for consideration, this Court directed the Registry to get a report from the Judicial First Class Magistrate court - V, Thiruvananthapuram about the present stage of the case. The petitioner in this case is the first accused. A report is received from the Judicial First Class Magistrate court - V (Special Court for Marklist Cases), Thiruvananthapuram. It will be better to extract the relevant portion of the above report: In obedience to the reference above, I most humbly submit as follows.

I may be permitted to humbly submit that, this case was filed U/ss. 420 r/w. 34 of IPC in Crime No. 14/2010 of Valiyathura Police Station against the accused Nos. 1 and 2. On 05.01.2016 charge was framed against accused No.1 and on the same date accused No.2 was split up. Further the matter was proceeded against accused No.1, Padmanabhan only. Further on 19.04.2022 CW1, the informant filed compounding petition against accused No.1 where the parties were settled matter themselves. The statement of CW1 also recorded. Resultantly, the compounding

petition is allowed and the accused No.1 is acquitted u/s. 320(8) of Cr.PC on 19.04.2022 and case against the accused No.2, Babu is refiled as CC. 1093/2022.

In the light of the above report, nothing survives in this case. Therefore, this Crl.M.C. is closed. Sd/- P.V.KUNHIKRISHNAN DM JUDGE APPENDIX OF CRL.MC 3405/2015 PETITIONER ANNEXURES

ANNEXURE A1 TRUE COPY OF THE MEMORANDUM IN O.P.164/2010 FILED BEFORE THE HONOURABLE CONSUMER DISPUTES REDRESSAL ANNEXURE-A2 TRUE COPY OF THE CHIEF AFFIDAVIT FILED BY THE COMPLAINANT IN O.P.164/2010 BEFORE THE HONOURABLE CONSUMER DISPUTES REDRESSAL FORUM, THIRUVANANTHAPURAM ANNEXURE-A3 TRUE COPY OF THE VERSION FILED BY THE PETITIONER ALONG WITH M/S.GRANT MOTORS SALES AND SERVICE PVT.LTD.BEFORE THE KERALA STATE CONSUMER REDRESSAL

ANNEXURE-A4 TRUE COPY OF THE ORDER

DATED 29.04.2014 IN C.M.P.3174/2013 IN C.C.482/2013 ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-V, THIRUVANANTHAPURAM. ANNEXURE-A5 CERTIFIED COPY OF THE

JUDGMENT DATED 05.02.2015 IN

CRL.R.P.NO.29/2014 ON THE FILE OF THE ADDITIONAL SESSIONS COURT-II, THIRUVANANTHAPURAM. RESPONDENTS EXHIBITS :NIL //TRUE COPY// PA TO JUDGE

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