

Deepu vs State of Kerala

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Court : Kerala

Decided On : Dec-22-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/4864/2016

Appellant : DEEPU

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
FRIDAY, THE 22ND DAY OF DECEMBER 2023 / 1ST POUSHA, 1945
CRL.MC NO. 4864 OF 2016 CRIME NO.598/2009 OF Parassala Police
Station, Thiruvananthapuram AGAINST THE ORDER/JUDGMENT CC
1088/2010 OF JUDICIAL MAGISTRATE OF FIRST CLASS -
II, NEYYATTINKARA PETITIONER/S:

1 DEEPU, AGED 21 YEARS, S/O.DEVAPALAN,VAZHUTHOOR
JUNCTION, PERUMBAZHATHOOR
VILLAGE,THIRUVANANTHAPURAM DISTRICT. 2 MANU, AGED 21
YEARS, S/O.MANIYAN,MADATHUMVILAKOM VEEDU, NEAR

ALATHAMKAL SNDP MANDIRAM,CHENGAL VILLAGE,
THIRUVANANTHAPURAM DISTRICT. 3 VIJEESH, AGED 21 YEARS,
S/O.AYYAPPANASARI,PANAVILA ROADARIKATHU
VEEDU,OPPOSITE KUNNAVILA RC CHURCH,CHENGALA VILLAGE,
THIRUVANANTHAPURAM DISTRICT. 4 ABHILASH, AGED 21 YEARS,
S/O.MANOCHARAN,PUTHRATHALA VEEDU, VARIKKAMATOM
VILA,KOLLAYIL VILLAGE, THIRUVANANTHAPURAM 5 JISHNU, AGED
21 YEARS, S/O.KUMARAN NAIR, VEENA BHAVAN,VEERANAKKAVU
PRIMARY HEALTH CARE CENTRE,VEERANAKKAV VILLAGE,
THIRUVANANTHAPURAM 6 AJITH, AGED 21 YEARS,
S/O.AJITH,PADAPURATHU MELE VEEDU, KOLLAYIL
VILLAGE,THIRUVANANTHAPURAM 7 VISHNU, AGED 20 YEARS,
S/O.VASAVAN,NEDUVANVILA COLONY VEEDU, PARASALA
VILLAGE,THIRUVANANTHAPURAM BY ADV SRI.P.ANOOP
(MULAVANA) -2-

RESPONDENT/S: STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. LENIN
JOSE, AGED 26 YEARS, S/O. JOSE, PLANGALAVILA PUTHEN
VEEDU, NEAR OORUTTUKALA TEMPLE, ATHIYANNOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT 695 001. BY ADV
SRI.P.A.JACOB OTHER PRESENT: SMT SREEJA V, PP THIS
CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
22.12.2023, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING: -3-

P.V.KUNHIKRISHNAN, J.

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Dated this the 22nd day of December, 2023

ORDER

The above Crl.M.C is filed with following prayers: 1. Quash the Annexure-A1 Final Report in C.C.No.1088/2010 of Judicial First Class Magistrate Court-II, Neyyattinkara arising from Crime No.598/2009 of Parassala Police Station, Thiruvananthapuram District.

2. Grant such other relief deemed fit to this Honble Court. (sic)

2. When this Crl.M.C came up for consideration, this Court

directed the registry to get a report from the trial court about the present stage of the case. The learned Magistrate submitted a report, in which it is stated that accused Nos. 2 to 7 appeared and their case is already disposed of and the case of the 1 st accused is still pending. If that be so, this Crl.M.C need not be retained here. The 1 st accused/1st petitioner can appear before the court and contest the case in the light of the fact that the other accused were already acquitted. -4- Granting liberty to the 1st petitioner to approach the trial court and raise all contentions, this Crl.M.C is closed. Sd/- P.V.KUNHIKRISHNAN JUDGE
das -5-
APPENDIX OF CRL.MC 4864/2016 PETITIONER ANNEXURES ANNEXURE A1
TRUE COPY OF THE FINAL REPORT IN C.C.NO.1088/2010 OF JFCM-11,
NEYYATTINKARA. ANNEXURE A2 TRUE COPY OF THE AFFIDAVIT FILED BY
THE 2ND RESPONDENT.

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