

Preman vs Robin

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SooperKanoon Citation : sooperkanoon.com/1359594

Court : Kerala

Decided On : May-09-2023

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : OP(Crl.)/374/2023

Appellant : Preman

Respondent : ROBIN

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
TUESDAY, THE 9TH DAY OF MAY 2023 / 19TH VAISAKHA, 1945
OP(CRL.) NO. 374 OF 2023 AGAINST THE ORDER/JUDGMENTST
21/2020 OF JUDICIAL MAGISTRATE OF FIRST CLASS III,
IRINJALAKUDA CRRP 84/2023 OF DISTRICT COURT & SESSIONS
COURT,THRISSUR PETITIONER/PETITIONER/ACCUSED: PREMAN
AGED 40 YEARS S/O.ARJUNAN, CHERUMADATHIL HOUSE,
KARAYAMPADAM DESOM, VARANTHARAPPILLY P.O.,
VARANTHARAPPILLY PIN - 680 303.

BY ADV N.L.BITTO RESPONDENTS/RESPONDENTS/COMPLAINANT: 1 ROBIN
AGED 30 YEARS S/O.JOSE, AMBAZHAKADAN HOUSE, PUDUKKAD P.O.,

THORAVU PIN - 680 301. 2 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682 031. OTHER PRESENT: SRI.NOUSHAD K A; PP THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 09.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: O.P.(Crl.) No .374 of 2023 2

JUDGMENT

Dated this the 9th day of May, 2023 This original petition has been filed seeking expeditious disposal of the Crl.R.P No.84 of 2023 pending before the Sessions Court, Thrissur.

2. The learned Public Prosecutor very alertly points out that the revision petition itself was filed only on 20.04.2023 and therefore, the petitioner has no cause of action to file this original petition.

3. Having heard the learned counsel for the petitioner and the

learned Public Prosecutor, I am of the view that, the learned Public Prosecutor is right in contending that the petitioner has no cause of action to file this original petition, seeking expeditious disposal of revision petition since the same is filed only on 20.04.2023. Original petition fails and it is accordingly dismissed. Sd/-
GOPINATH P. JUDGE AMR O.P.(Crl.) No .374 of 2023 3 APPENDIX OF
OP(CRL.) 374/2023 PETITIONERS EXHIBITS Exhibit1 A TRUE COPY OF THE
COMPLAINT ST. 21 OF 2020 FILED BEFORE THE JFCM NO.III,
IRINJALAKUDA, DATED 19/2/2016. Exhibit-P2 A TRUE COPY OF THE
APPLICATION CMP.14 OF 2023 IN ST.21 OF 2020 TO PRODUCE DETAILS
FROM CMI CONGREGATION DATED 13/3/2023. Exhibit-P3 A TRUE COPY OF
THE COMMON ORDER PASSED IN

CMP.14 OF 2023 AND CMP.15 OF 2023 IN ST.21 OF 2020 OF THE JUDICIAL
FIRST CLASS MAGISTRATE, IRINJALAKUDA DATED 1/4/2023. Exhibit-P4 A
TRUE COPY OF THE CRL.RP. 84 OF 2023 ALONG WITH STAY PETITION
FILED BEFORE DISTRICT COURT THRISSUR DATED 20/4/2023.