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Renjith vs State of Kerala

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Court : Kerala Orders

Decided On : Sep-20-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/4123/2022

Appellant : Renjith

Respondent : State of Kerala

Judgement :

CRL.MC NO. 4123 OF 2022 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN WEDNESDAY, THE 20TH DAY OF SEPTEMBER 2023 / 29TH BHADRA, 1945 CRL.MC NO. 4123 OF 2022 PETITIONER/S: 1 RENJITHAGED 36 YEARSS/O. RAJENDRAN, RESIDING AT RAJBHAVAN, THAMBURAN MUKKU, ADHITHYA NAGAR-195, VADAKKEVILA VILLAGE, KOLLAM, PIN - 691020 2 LINJU @ ROYAGED 36 YEARSS/O. THANKACHAN, RESIDING AT LINCHU VILASAM, KARICODE CHERRIYAIL, TKMC, AISWARAYA NAGAR, MANGADU VILLAGE, KOLLAM, PIN - 691015 3 JACSONAGED 29

YEARSAGED 29 YEARS,S/O. WILLAM DCRUEZ, RESIDING AT THILLARIYIL NAGAR- 70(A),R.S.VILLA, MUNDACKAL, UDHAYAMARTHANDAPURAM CHERRY, KOLLAM, PIN - 691010 4 VIPIN PERERAAGED 34 YEARSPERUMPILLYTHODIYIL, THEKKATHIL,MARTHANDAPURAM CHERIYIL,TRA NAGAR 38(A), KOLLAM, PIN - 691001 5 ABIN PERERA, @ MANGAL PANDEAGED 33 YEARSS/O. IRWIN PERERA, RESIDING AT RESIDING AT PERUMPILLYTHODIYIL, THEKKATHIL,MARTHANDAPURAM CHERIYIL, MUNDACKAL, TRA NAGAR 38(A), KOLLAM, PIN - 691001 6 SOORAJAGED 29 YEARSS/O. SURENDRAN NAIR RESIDING AT SREENILAYAM VEEDU, VADAKKEVILA VILLAGE, UDHAYASREE NAGAR- 19(A), KOLLAM -, PIN - 691020

BY ADVS. S.SREEKUMAR (KOLLAM) S.NAVAS RESPONDENT/S: 1 STATE OF KERALAREPRESENTED THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM, PIN - 682031 CRL.MC NO. 4123 OF 2022 2 2 THE STATION HOUSE OFFICERKOLLAM EAST POLICE STATION, KOLLAM DISTRICT, PIN, PIN - 691001

3 SABEERAGED 42 YEARSS/O. ABDUL LATHEEF, RESIDING AT MANNATHU VEEDU, KUNNEL JUNCTION, MUNDACKAL, KOLLAM EAST, KOLLAM, PIN - 691010 BY ADV K.VIJAYAN OTHER PRESENT: HRITWICK CS PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20.09.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CRL.MC NO. 4123 OF 2022 3 P.V.KUNHIKRISHNAN, J ---------- Crl.M.C. No. 4123 of 2022 ---------- Dated this the 20th day of September, 2023

ORDER

This Criminal Miscellaneous case is filed to quash the proceedings in Crime No. 2743/2016 of Kollam East Police Station. This Court directed the Public Prosecutor to get instructions as to the veracity of the settlement and antecedents of the petitioners. This case was posted for instructions on six times. The Public

Prosecutor today submitted that the defacto complainant is in Saudi Arabia and the statement was not recorded. If that is the case, this Crl.M.C. need not be retained. The petitioners can file a fresh Crl.M.C. when the defacto complainant came back. Granting liberty to the petitioners to file a fresh Crl.M.C., this Crl.M.C. is closed. Sd/- P.V.KUNHIKRISHNAN JUDGE SKS CRL.MC NO. 4123 OF 2022 4 APPENDIX OF CRL.MC 4123/2022 PETITIONER ANNEXURES Annexure- A1 THE TRUE COPY OF THE FIR NO. 2743 OF 2016, DATED 26.11.2016 OF KOLLAM EAST POLICE Annexure- A2 THE TRUE COPY OF THE FINAL REPORT(CHARGE) IN S.C. 556/2020 OF THE SUBORDINATE JUDGES COURT, KOLLAM Annexure- A3 A TRUE COPY OF THE AFFIDAVIT DATED 15.06.2022 SWORN BY THE 3RD RESPONDENT (DE-FACTO COMPLAINANT) BEFORE THIS HON'BLE COURT

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