

Thomas John vs State of Kerala

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Court : Kerala

Decided On : Feb-17-2022

Judge : Honourable Dr. Justice Kauser Edappagath

Appeal No. : OP(Crl.)/36/2022

Appellant : Thomas John

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
THURSDAY, THE 17TH DAY OF FEBRUARY 2022/ 28TH MAGHA,
1943 OP(CRL.) NO. 36 OF 2022 S.T.No.3658/2018 on the file of the
Judicial First Class Magistrate Court, Thiruvalla PETITIONER: THOMAS
JOHN AGED 40 YEARS THYILPARAMPIL HOUSE, MANJADI P.O.,
THIRUVALLA TALUK, PRESENTLY WORKING AT OMAN,
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER ABRAHAM
VARGHESE, AGED 50 YEARS, SON OF P.J. VARGHESE,
THYILPARAMPIL HOUSE, MANJADI P.O., THIRUVALLA, PIN - 689105,
PATHANAMTHITTA, PIN - 689105. BY ADVS.
P.K.ABOOBACKER(EDAPPALLY) JACOB THOMAS (VANCHIPALAM)

RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682031, PIN - 682031. 2 SHINI JIJI, AGED 38 YEARS, W/O. JIJI., N. KURUVILLA, NELLIMOOTTIL HOUSE, AMALLOOR, MANJADI. P.O., THIRUVALLA TALUK, PIN - 689105, PIN - 689105. THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 17.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

JUDGMENT

This O.P.(Crl.) has been filed seeking speedy disposal of S.T.No.3658/2018 on the file of the Judicial First Class Magistrate Court, Thiruvalla.

2. The offence involved is under Section 138 of the Negotiable Instruments Act.

3. I have called for a report from the learned

Magistrate who reported that altogether three witnesses were already examined. Thereafter, the petitioner filed an application under Section 311 of the Cr.P.C. to reopen the evidence to recall PW2. Now, the case stands posted to 2.4.2022 for examination of PW2.

4. Since the evidence is almost over, this O.P.(Crl.) is

disposed of with a direction to the learned Magistrate to dispose of S.T.No.3658/2018 on or before 30.4.2022. Sd/- DR.KAUSER EDAPPAGATH, JUDGE skj ..3.. APPENDIX OF OP(CRL.) 36/2022 PETITIONER'S EXHIBITS Exhibit P1 TRUE COPY OF THE COMPLAINT DATED 16.11.2018 IN S.T. NO.3658/2018 ON THE FILE OF THE JFCM COURT, THIRUVALLA.

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