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Athul.D vs State of Kerala

Athul.D vs State of Kerala

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Court : Kerala

Decided On : Mar-31-2021

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : OP(Crl.)/26/2021

Appellant : Athul.D

Respondent : State of Kerala

Judgement :

OP(Crl.).No.26 OF 2021 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V. WEDNESDAY, THE 31ST DAY OF MARCH 2021 / 10TH CHAITHRA, 1943 OP(Crl.).No.26 OF 2021 AGAINST THE ORDER/JUDGMENT IN CC 938/2017 OF JUDICIAL MAGISTRATE OF FIRST CLASS , ADOOR CRIME NO.3276/2016 OF Adoor Police Station , Pathanamthitta PETITIONER/ACCUSED NO.3: ATHUL.D AGED 23 YEARS S/O DHARMAPALAN, ATHUL NIVAS, NEAR BHARANIKAVU DEVI TEMPLE, THOTTUVA PALLICKAL VILLAGE, ADOOR, PATHANAMTHITTA DISTRICT-691 523. BY ADVS. SRI.S.SHANAVAS KHAN SMT.S.INDU

RESPONDENT/COMPLAINANT: STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM OTHER PRESENT: AJITH MURALI- PUBLIC PROSECUTOR THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 31.03.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: OP(Crl.).No.26 OF 2021 2

JUDGMENT

Accused No.3 in C.C.No.938 of 2017 on the files of Judicial First Class Magistrate Court, Adoor has filed this Original Petition seeking a direction to the court below to dispose of the same as expeditiously as possible within a time frame.

2. At the time of admission of this Original Petition, a report has been called from the court concerned regarding the time required for disposal of the case. As per the letter dated 16.3.2021, the learned Judicial 1st Class Magistrate has reported that six months time is required for disposal of the case.

3. Considering the total pendency of the cases before the

Judicial 1st Class Magistrate Court, Adoor, I think that the time required for disposal of the case by the learned Magistrate appears to be justifiable and reasonable though the case is of the year 2017. Hence, this report is accepted and O.P (Crl) is disposed of accordingly. The learned Magistrate shall dispose of the case within a period of six months from the date of receipt of a copy of this

judgment.

Sd/- SHIRCY V. smm JUDGE OP(Crl.).No.26 OF 2021 3 APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE CHARGE SHEET CRIME NO EXHIBIT P2 TRUE COPY OF THE JUDGMENT DATED 3.7.2019 IN OP CRL NO 298 OF 2019 OF THIS HON'BLE COURT

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