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Manjunathan Potti vs State of Kerala

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Court : Kerala Orders

Decided On : Feb-23-2021

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : CRL.A/129/2021

Appellant : Manjunathan Potti

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN TUESDAY, THE 23RD DAY OF FEBRUARY 2021 / 4TH PHALGUNA, 1942 AGAINST THE ORDER/JUDGMENT IN SC 742/2019 DATED 27-01-2021 OF I ADDITIONAL SUB COURT,TRIVANDRUM CRIME NO.1938/2017 OF Museum Police Station , Thiruvananthapuram APPELLANT/5TH ACCUSED: MANJUNATHAN POTTI AGED 21 YEARS S/O. SREENIVASAN POTTI, KUNNATHU MANNADI LANE, PMARC-34 TC 2/1308, NEAR ARYA CENTRAL SCHOOL, PATTOM WARD, PATTOM VILLAGE, PIN - 695 004. BY ADV. SRI. S.SUDHISH KUMAR RESPONDENT/STATE: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, KOCHI-31.

SPL.GP. S. AMBIKA DEVI FOR OFFENCE AGAINST WOMEN AND CHILDREN THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 23.02.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 23rd day of February 2021

After admitting the matter and suspending the execution of the sentence it was noticed that the appeal is not maintainable before this Court in view of Section 374 (2) of Cr.P.C. The learned counsel for the petitioner seeks permission to withdraw the Criminal Appeal with liberty to file it before the Sessions Court. The order admitting the appeal and suspending the sentence is recalled and the Criminal Appeal is dismissed as withdrawn with liberty to approach the Sessions Court. Registry is directed to return the certified copies of judgments produced along with the appeal, as expeditiously as possible. Sd/- V.G.ARUN JUDGE SPR

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