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Saneesh vs State of Kerala,

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SooperKanoon Citation : sooperkanoon.com/1852636

Court : Kerala

Decided On : Jan-31-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Crl.MC/502/2019

Appellant : Saneesh

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY ,THE 31ST DAY OF JANUARY 2019 / 11TH MAGHA, 1940 AGAINST THE ORDER/JUDGMENT IN SC 277/2015 of ADDITIONAL DISTRICT COURT & SESSIONS COURT - IV, PATHANAMTHITTA CRIME NO. 237/2011 OF Pathanamthitta Police Station , Pathanamthitta PETITIONER/S: SANEESH AGED 37 YEARS S/O.SAHADEVAN, RESIDING AT SANEESH BHAVAN, VATTAMURUPPEL VEETIL, NJAKKUNILAM, VALLOKODU MURI, VALLIKKODU VILLAGE, PATHANAMTHITTA DISTRICT. BY ADVS. SRI.K.N.RADHAKRISHNAN(THIRUVALLA) SMT.ROBEKA JOHN RESPONDENT/S: STATE OF KERALA, REPRESENTED BY PUBLIC

PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. OTHER PRESENT: SRI. HRITHWIK C. S SR PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31.01.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -2-

ORDER

When this matter has been taken up for hearing, the learned Public Prosecutor, on instructions, has submitted that five witnesses have been already examined and the trial is going on.

2. The learned counsel for the petitioner has submitted that the petitioner may be granted exemption from personal appearance, as the petitioner is abroad.

3. In view of the above submission, it is directed

that the personal appearance of the petitioner shall not be insisted upon by the court below, till his examination under Section 313 Cr.P.C. However, the petitioner shall be present before the court for his examination under Section 313 Cr.P.C.

This Criminal M.C. stands closed with the above direction. Sd/-B.SUDHEENDRA KUMAR JUDGE ani/ -3- APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE 1 THE COPY OF THE FINAL REPORT IN CRIME NO.237/2011 OF THE PATHANAMTHITTA POLICE STATION. ANNEXURE 2 THE COPY OF THE ORDER IN THE CRIMINAL MC.1921 OF 2011 DATED 29.6.2011. ANNEXURE 3 THE COPY OF PASSPORT OF THE PETITIONER ALONG WITH THE VISA.

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