

Xavier vs State of Kerala

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Court : Kerala Orders

Decided On : Feb-28-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Crl.MC/1209/2019

Appellant : Xavier

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY ,THE 28TH DAY OF FEBRUARY 2019 / 9TH PHALGUNA, 1940 AGAINST THE ORDER/JUDGMENT IN CC 557/2018 of JUDL.M.F.C.- I,ERNAKULAM CRIME NO. 951/2017 OF Mulavukad Police Station , Ernakulam PETITIONER/S: 1 XAVIER AGED 41 YEARS S/O PAILY CHEMMAYATH (H), PUTHUVYPU P.O., 2 JOSEPH AGED 68 YEARS S/O SAIMON, PULIYEZHATH (H), PUTHUVYPU P.O., 3 JOSEPH AGED 66 YEARS S/O JOSEPH, KIZHAKKEMATTUMMEL, PUTHUVYPU P.O., 4 VISHNU AGED 21 YEARS S/O GHOSH, PUNCHEPPADY, PUTHUVYPU P.O., 5 BENSON AGED 39 YEARS S/O. JOSY, KOOTUMGAL, PUTHUVYPU P.O., 6 ANTONY AGED 44

YEARS S/O JOHN, CHAKKALAKKAL (H), PUTHUVYPU P.O., -2- 7 P.R.RAJU AGED 52 YEARS S/O. RAGHAVAN, PARATTY 9H), PUTHUVYPU P.O., 8 SUJITH AGED 24 YEARS S/O SUNIL, PALLATH, PUTHUVYPU P.O., ERNAKULAM, 9 GHOSH AGED 52 YEARS S/O. GOPALAN, PURATHUPPADY, PUTHUVYPU P.O., 10 VINEESH AGED 23 YEARS S/O SIVAN, KANAKKATTUSSERY, PUTHUVYPU P.O., 11 DEREENA NELSON AGED 40 YEARS W/O NELSON, ARAKKAL, PUTHUVYPU P.O., ERNAKULAM, 12 MERCY LOWERENCE AGED 54 YEARS W/O. LOWRENCE, ARAKKAL (H), PUTHUVYPU P.O., 13 MERCY AGED 64 YEARS W/O JOSEPH, PUZHAYEDATH (H), PUTHUVYPU P.O., 14 DAISY AGED 67 YEARS W/O ANTONY, OLIPARAMBIL, PUTHUVYPU P.O., -3- 15 RAJAMMA VASU AGED 62 YEARS W/O. VASUY, PALLATH, PUTHUVYPU P.O., ERNAKULAM, 16 VINCY JOHNSON, AGED 45 YEARS W/O JOHNSON, THANIPPILLY, PUTHUVYPU P.O., 17 VIJITHRA, AGED 36 YEARS W/O SHIJAN, PULIKKAL, PUTHUVYPU P.O., 18 DHANEESHA AGED 36 YEARS W/O BIJU, ARAKKAPPARAMBU, PUTHUVYPU P.O.,

19 GILSA UNNIKRIISHNAN AGED 49 YEARS W/O UNNIKRIISHNAN, THAYATTUPARAMBIL (H), PUTHUVYPU P.O., ERNAKULAM, PIN-682 508.

20 JIJI AGED 39 YEARS W/O JOY, ANCHUMMEL (H), PUTHUVYPU P.O., 21 SHERON, AGED 27 YEARS, W/O.JOBY, KANJATTUPARAMBIL, PUTHUVYPE PO, ERNAKULAM PIN 22 BINCY, AGED 44 YEARS, W/O.BIJU, THARRARUPARAMBIL, PUTHUVYPE PO, ERNAKULAM PIN 23 ALICE AGED 54 YEARS W/O GEORGE, THANNIPPILLY, PUTHUVYPU P.O., -4- 24 SHEEBA AGED 50 YEARS W/O JOSSY, PATHISSRY (H), PUTHUVYPU P.O., 25 REENA AGED 51 YEARS W/O SABU, PALLATHUSSERY (H), PUTHUVYPU P.O., 26 SHINY AGED 38 YEARS W/O. ANTONY, MALIYEKKAL, PUTHUVYPU P.O., 27 SHEELA AGED 51 YEARS W/O JOHN, THOMMASSERYM, PUTHUVYPU P.O., 28 MARY AGED 48 YEARS W/O JAMES,

KOLLAMPARAMBIL, PUTHUVYPU P.O., 29 ROSY AGED 43 YEARS W/O MAXON, POLAYIL, PUTHUVYPU P.O., ERNAKULAM, 30 DENCY W/O VARGHESE, THERATH, PUTHUVYPU P.O., 31 JANET AGED 31 YEARS W/O ANEESH, MALIYEKKAL (H), PUTHUVYPU P.O., -5- 32 MERLIN AGED 22 YEARS W/O SHIBU, PALLATHUSSERRY (H), PUTHUVYPU P.O., 33 LINDA AGED 34 YEARS W/O JENSON, EDANILATH, PUTHUVYPU P.O., 34 NITHA AGED 36 YEARS W/O SHEEJAN, PULIKKAL, PUTHUVYPU P.O., 35 RENUKA AGED 41 YEARS W/O SUNIL, PULIKKAL, PUTHUVYPU P.O., ERNAKULAM, 36 BIJI AGED 36 YEARS W/O SHIBU, PULIKKAL, PUTHUVYPU P.O., ERNAKULAM, 37 SINDHU AGED 48 YEARS W/O JOLLY, MANAPARABIL, PUTHUVYPU P.O., 38 SUSAN AGED 46 YEARS W/O SABU, CHULLIKKAL, PUTHUVYPU P.O., 39 BETSY AGED 27 YEARS D/O. BASTIN, PUTHUSSERY (H), PUTHUVYPU P.O., -6-

40 JELSI ANTONY AGED 38 YEARS W/O. ANTONY, VALIYAPARAMBIL (H), PUTHUVYPU P.O., ERNAKULAM, PIN-682 508.

41 PRINCY JOY AGED 38 YEARS W/O JOY, VALIYAPARAMBIL (H), PUTHUVYPU P.O., 42 MINI AGED 48 YEARS W/O. JOSSY, KATTIKKATTU (H), PUTHUVYPU P.O., 43 ANNIE AGED 52 YEARS W/O DAVID, KULATHIPARAMBIL, PUTHUVYPU P.O., 44 LISHA AGED 35 YEARS W/O JONSHON, VALLUVANADU, PUTHUVYPU P.O., 45 SHALY AGED 37 YEARS W/O ANTONY, VALLUVANADU, PUTHUVYPU P.O., BY ADV. SRI.T.N.SURESH RESPONDENT/S: STATE OF KERALA THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. OTHER PRESENT: SMT.V.SREEJA,PP

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28.02.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -7-

ORDER

Dismissed as withdrawn. However, the petitioners shall be granted exemption from personal appearance before the court below, on all posting dates, except when their presence is necessary for the progress of the case, if the petitioners surrender before the court below within 30 days and file application in this regard.
sd B. SUDHEENDRA KUMAR, JUDGE. dl/

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