

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 22ND DAY OF MAY 2018 / 1ST JYAISHTA, 1940

Cr1.MC.No. 3100 of 2018

CC 1528/2017 of JUDICIAL FIRST CLASS MAGISTRATE COURT, WADAKKANCHERRY

PETITIONER/DEFACTO COMPLAINANT:

A.V. BALACHANDRAN,
S/O. A.V.N. EZHUTHASSAN, AGED 60 YEARS, ANGALLOOR HOUSE,
PAZHAYANNUR, THRISSUR DISTRICT.

BY ADV.SMT.K.V.BHADRA KUMARI

RESPONDENT(S)/COMPLAINANT & ACCUSED NOS. 1 TO 4:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682 031
2. SREEVALSA SETHUMADHAVAN,
W/O. SETHUMADHAVAN, LAKSHMI NIVAS, KURUMALA (P.O.),
THRISSUR DISTRICT-680 586
3. JOSEPH,
S/O. MATHAI, ALAMKULAM HOUSE, KILLIMANGALAM, THRISSUR
DISTRICT.
4. A.L. THOMAS,
S/O. LAZER, PANGODAN VEEDU, PARLIKKAD, WADAKKANCHERY,
THRISSUR DISTRICT-680 623
5. JANARDANAN,
S/O. KUTTIKRISHNAN NAIR, KEERTHIYIL HOUSE, KONDAZHY,
PARAMELPADI, THRISSUR DISTRICT.

R1 BY SENIOR PUBLIC PROSECUTOR SRI.C.S.HRITWIK

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-05-2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PBS

Crl.MC.No. 3100 of 2018 ()

APPENDIX

PETITIONER(S) 'ANNEXURES

ANNEXURE I	TRUE COPY OF THE F.I.R.NO.11/2017 DATED 02.01.2017 OF CHELAKKARA POLICE STATION.
ANNEXURE II	TRUE COPY OF THE CHARGE SHEET/FINAL REPORT IN C.C.NO. 1528/2017 OF JFCM COURT, WADAKKANCHERY.
ANNEXURE III	CERTIFIED COPY OF THE PROCEEDINGS IN C.C.NO. 1528/2017 OF JFCM COURT, WADAKKANCHERY.
ANNEXURE IV	TRUE COPY OF THE PROCEEDINGS IN C.C.NO.351/2016 OF JFCM COURT, WADAKKANCHERY.
ANNEXURE V	TRUE COPY OF THE ORDER PASSED IN CRL.M.C.NO.2346/2018 DATED 05.04.2018.

RESPONDENT'S ANNEXURE

NIL

/TRUE COPY/

PS TO JUDGE

PBS
23/5/2018

K.ABRAHAM MATHEW J.

Crl.M.C.No.3100 of 2018

Dated this the 22nd day of May, 2018

O R D E R

The petitioner is the victim in C.C.No.1528/2017 on the files of the Judicial First Class Magistrate's Court, Wadakkanchery. On the information given by him another case was registered in respect of the very same subject matter, which is now pending in the very same court as C.C.No.351/2018. The prayer of the petitioner is to direct the court below to try both cases together.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. The two cases are independent. They cannot be tried together. But at the same time, it is necessary that the case is disposed of without delay. By Annexure-V order, this Court has directed the lower court to expedite the trial of the case. In this case also a similar direction will be issued.

In the result, this Crl.M.C. is disposed of directing the trial court to take effective steps to secure the presence of the accused and to make all efforts to dispose of the case, as expeditiously as possible. To the extent possible, both the cases may be taken up on the same day.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

sd