

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE S.S.SATHEESACHANDRAN

FRIDAY, THE 28TH DAY OF SEPTEMBER 2012/6TH ASWINA 1934

Crl.MC.No. 2966 of 2012 ()

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CRMP.3011/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHALAKUDY
CRIME NO. 239/2012 OF MALA POLICE STATION
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PETITIONER/ACCUSED NO.2 :

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MOHAMMADALI
S/O.PAREED, NALAKATH HOUSE, VADAMA DESOM
THRISSUR DISTRICT.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.V.C.SARATH**

RESPONDENT/COMPLAINANT:

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STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28-09-2012,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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APPENDIX

PETITIONERS' ANNEXURES :

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|-------------------|---|
| ANNEXURE-A | TRUE COPY OF THE ORDER IN CRL.M.P.NO.3011/2012 OF THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE, CHALAKKUDY DATED 06.03.2012. |
| ANNEXURE-B | TRUE COPY OF THE ORDER IN CRL.M.P.NO.4152/2012 OF THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE, CHALAKKUDY DATED 26.03.2012. |
| ANNEXURE-C | TRUE COPY OF THE ORDER IN CRL.M.C.NO.736/2012 BEFORE THIS HONOURABLE COURT DATED 27.04.2012. |
| ANNEXURE-D | TRUE COPY OF THE ORDER IN CRL.M.C.NO.1509 OF 2012 BEFORE THIS HONOURABLE COURT DATED 27.04.2012. |

RESPONDENTS' EXHIBITS : **NIL**

//TRUE COPY//

P.A. TO JUDGE

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S.S.SATHEESACHANDRAN, J.

Crl.M.C No.2966 OF 2012

Dated this the 28th day of September, 2012

ORDER

Petitioner is one among the accused in a crime registered at Mala Police Station. After his arrest and production before the Magistrate, he was enlarged on bail imposing some conditions. One among the conditions directed his appearance before the Investigating Officer once in a week. Later, that condition was modified by Annexure D order passed by this court directing him to appear once in three weeks. Now, the investigation is practically over, is the case of the petitioner to seek for waiving that condition. Learned Public Prosecutor, after getting instructions submits a final report was filed after completion of the investigation but the Magistrate returned that report directing its production with the report of the Forensic Science Laboratory. Report from the laboratory is still awaited, is the submission. Where the investigation is stated to have been completed, but, something more is to be done for filing the report before court, I find, condition imposed directing the petitioner to appear before the Investigating Officer can be waived at this stage. However, if

for any reason the Investigating Officer directs appearance of petitioner at any point of time till the filing of final report before the court, he shall positively appear without any default.

Subject to the above direction condition imposed directing appearance of petitioner before the Investigating Officer is vacated.

vdv

S.S.SATHEESACHANDRAN, JUDGE