

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 30TH DAY OF APRIL 2013/10TH VAISAKHA 1935**

**Crl.MC.No. 1826 of 2013 ()**

**L.P.NO.131/2004 IN CC.300/2003 of JUDICIAL FIRST CLASS MAGISTRATE - II,  
MAVELIKKARA, ALAPPUZHA DISTRICT**

**PETITIONER/ACCUSED :**

**SHAJAHAN, AGED 47 YEARS  
S/O. MUHAMMED MUSTHAFA RAWTHER, SHANAVAS VILLA  
ADICKATTUKULANGARA MURI, PALAMEL VILLAGE  
MAVELIKKARA TALUK TALUK, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.M.V.THAMBAN  
SRI.R.REJI  
SMT.THARA THAMBAN**

**RESPONDENT/STATE AND DEFACTO COMPLAINANT :**

**STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM  
REPRESENTING THE SUB INSPECTOR OF POLICE  
NOORANADU POLICE STATION, ALAPPUZHA 690504.**

**BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 30-04-2013, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**BP**

**Crl.MC.No. 1826 of 2013 ()**  
-----

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
-----

- ANNEXURE A1:** TRUE COPY OF THE FIR DATED 22-10-1998 IN CRIME NO. 285 OF NOORANADU POLICE STATION.
- ANNEXURE A2:** TRUE COPY OF THE JUDGMENT DATED 06-05-2003 IN CC. NO. 257/99 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, MAVELIKKARA.
- ANNEXURE A3:** TRUE COPY OF THE ORDER DT. 16-10-12 IN CRL. M.C. NO. 2809/2012 OF THIS HONOURABLE COURT.

**RESPONDENT(S)' EXHIBITS :** NIL.  
-----

**//TRUE COPY//**

**P.A. TO JUDGE**

**BP**

**B. KEMAL PASHA, J.**

-----  
**Crl. M.C. No. 1826 of 2013**  
-----

**Dated this the 30<sup>th</sup> day of April, 2013**

**O R D E R**

The very same matter was in question in Crl.M.C. No.2809/2012, which was dismissed by this Court vide order dated 16.10.2012. Again with the very same request, the petitioner has approached this Court through the present Crl.M.C., which is apparently an abuse of the process of this Court. There is no change of circumstances at all. Even at the time when Crl.M.C. No.2809/2012 was considered by this Court, non-bailable warrant was pending against the petitioner. This Crl.M.C. is dismissed.

Sd/-

**B. KEMAL PASHA**  
**JUDGE**

//True copy//

P.A. TO JUDGE

shg/