

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 9TH KARTHIKA, 1940

Cr1.RC.No. 193 of 2018

AGAINST ST 6036/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-2017

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM CR. 1416/2013
- 2 SUMESH
S/O. NELSON, SUJA BHAVAN,
KANJEERAKKOTT CHERY, MULAVANA VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS.195, 196, 206, 232, 249, 250,
252, 257, 285, 316, 325, 326, 390,395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 195 of 2018

AGAINST ST 5854/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-17

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
SAKTHIKULANGARA CR. 686/2013
- 2 RAJU
S/O. SEBASTIAN, RAJU BHAVAN,
GARPHIL NAGAR, THEKKUMBHAGOM MURY, MUNDACKAL

BY ADV. SMT.V.GEETHA POTTI

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 196, 206, 232, 249, 250,
252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 196 of 2018

AGAINST ST 5818/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-17

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM CR. 1187/2013
- 2 VIPIN
S/O. BABU, RAJENDRA BHAVAN, VELLAPPU MUKKU,
AAKKOLIL CHERI, MAYYANAD VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 206, 232, 249, 250,
252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 206 of 2018

AGAINST SA 7712/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-17

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR. 1431/2013
- 2 NAVAS
S/O. MEERASAHIB, VILAYIL VEEDU,
CHENTHAPORE CHERRY, THRIKKOVILVATTOM VILLAGE

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON 31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 232, 249, 250, 252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND 443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 232 of 2018

AGAINST ST 7286/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-17

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM, CR. 1387/13
- 2 MUKESH
S/O. RAJENDRAN, VAMKARATHU KIZHAKEETHIL,
ILLAM NAGAR 62, VALATHUMKAL CHERRY, ERAVIPURAM.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 249, 250,
252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 249 of 2018

AGAINST ST 6155/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18/09/17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM, CR.1542/13.
- 2 SABU
S/O.SADANANDAN, VAYALIL PUTHAN VEEDU,
MAYYANAD CHERRY, MAYYANAD VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 250,
252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 250 of 2018

AGAINST ST 6189/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18/09/17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM, CR.1560/13.
- 2 ALI
S/O.RAHIM, VAYALIL PUTHENVEETIL,
NJARAKKAL KIZHAKETHIL, NEAR CHAKIRIKADA,
VALATHUNGAL CHERI, ERAVIPURAM VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
252, 257, 285, 316, 325, 326, 390,395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 252 of 2018

AGAINST ST 6193/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18/09/17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM, CR.1360/13.
- 2 SURESH
S/O.RAVINDRAN, SUNITHA VILASAM VEEDU,
KARUNYA NAGARAM-93, BACK SIDE OF 2ND NUMBER CASHEW
FACTORY, KILIKOLLOOR VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 257, 285, 316, 325, 326, 390,395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 257 of 2018

AGAINST ST 8835/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR.1530/2013.
- 2 MELVIN
S/O HILARI, PUTHANAZHIKAM THOPPU,
NEAR GAARFIL CLUB, THEKKUMBHAGAM, ERAVIPURAM.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 285, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 285 of 2018

AGAINST ST 8449/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR.1498/2013.
- 2 SHANAVAS
S/O SAINULABDIN, PAYATTINKODU HOUSE,
BHARATH NAGAR, THEKEVILA CHERI, MUNDAYKAL VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 316, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 316 of 2018

AGAINST ST 9221/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-9-17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR. 1842/2013.
- 2 SAJEEV
S/O. THULASEEDHARAN, BABU NIVAS, ILLAM NAGAR,
VALATHUNGAL CHERI, ERAVIPURAM VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 325, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 325 of 2018

AGAINST ST 9273/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM, CR.1547/2013.
- 2 KANNAN
S/O SUGATHAN, PONGARAVILA PUTHANVEEDU,
VIRINJAM CHERI, KALLUVATHUKKAL.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 326, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 326 of 2018

AGAINST ST 9253/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR.1803/2013.
- 2 RIYAS
S/O AHAMMED KOYA, SHEEJA MANZIL, SAMSAM NAGAR-53,
KAYYALAKKAL CHERI, ERAVIPURAM.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 390, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 390 of 2018

AGAINST ST 8845/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-09-2017.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
ERAVIPURAM CR. 1603/2013.
- 2 SANTHOSH KUMAR
S/O. SURENDRAN, THAZHATHU CHERI VEEDU,
KOOTTIKADA NAGAR-92, THAZHATHU WARD,
MAYYANAD VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 395, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 395 of 2018

AGAINST ST 7813/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU

PROCEEDINGS AS PER RESOLUTION OF THE ADMINISTRATIVE
COMMITTEE IN ITS MEETING HELD ON 18/09/2017.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
SAKTHIKULANGARA CR.1309/2013.
- 2 AKHIL THAMPY
S/O.THAMPY, CHARUVILA PUTHEN VEETIL,
NEAR NEGUNGOTTUKONAM JUNCTION, ASURAMANGALAM CHERI,
EDAMULAKKAL VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 420, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 420 of 2018

AGAINST ST 9428/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM CR.2188/2013.
- 2 JOHN
S/O EDWARD, EDSON HOME, NADUVILAKKARA CHERI,
MAYYANAD VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 395, 421, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 421 of 2018

AGAINST ST 9459/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOLLAM EAST CR.2210/2013.
- 2 SOORAJ
S/O SURENDRAN, THUNDUKULAM CHARUVILA VEETIL,
PUTHANKULAM AMMARATHUMUKKU, NEDUNGOLAM CHERI,
POOTHAKULAM VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 395, 420, 426, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 426 of 2018

AGAINST ST 8537/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM CR.2069/2013.
- 2 RAJEESHKUMAR
S/O RAMACHANDRAN PILLAI, VILAYIL VADAKETHIL VEETIL,
VADAKUMKARA KIZHAKKEY CHERI, THAZHUTHALA VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 440 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Crl.RC.No. 440 of 2018

AGAINST ST 10383/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18.09.17.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOTTIYAM CR.2567/2013.
- 2 SURESH JOSEPH
S/O SEBASTIAN JOSEPH, SIMON VILLA,
NEAR KANDACHIRA CANAL, NADUVILAKKARA CHERI,
MAYYANNADU VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Crl.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426 AND
443/2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 19TH ASWINA, 1940

Cr1.RC.No. 443 of 2018

AGAINST ST 10394/2013 of J.M.F.C.-II, KOLLAM

PETITIONER:

SUO MOTU
PROCEEDINGS AS PER THE RESOLUTION OF THE
ADMINISTRATIVE COMMITTEE IN ITS MEETING HELD ON
18-9-17.

REPONDENTS:

- 1 STATE OF KERALA
 REPRESENTED BY THE SUB INSPECTOR OF POLICE,
 KOTTIYAM CR. 2542/2013.
- 2 DANIEL
 S/O. PONNACHAN, VAYALIL VEEDU, KUNNIL KIZHAKATHIL,
 DHAVALAKUZHY CHERI, MAYYANADU VILLAGE.

SENIOR PUBLIC PROSECUTOR SRI.ALEX M THOMBRA

THIS CRIMINAL REVISION CASE HAVING COME UP FOR ADMISSION ON
31.10.2018, ALONG WITH Cr1.RC.NOS. 193, 195, 196, 206, 232, 249,
250, 252, 257, 285, 316, 325, 326, 390, 395, 420, 421, 426 AND 440/
2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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**Crl.R.C. Nos.193, 195, 196,
206, 232, 249, 250, 252,
257, 285, 316, 325, 326,
390, 395, 420, 421, 426, 440
& 443 of 2018**
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ORDER

These criminal revision cases were registered suo motu by this court on its noticing that the order of discharge passed by the Judicial Magistrate of First Class-II, Kollam in the cases covered by these criminal revision cases is illegal.

2. Though notice was served on the second respondent in each case, who were the accused in the court below, they have not appeared in person or through counsel.

3. All the cases were registered in the court below as Summary Trial Cases.

4. In the Summary Trial Cases covered by these Crl.R.Cs the second respondent allegedly committed the offence under Section 279 IPC. In most of these cases the second respondent

also allegedly committed the offence under Section 185 of the Motor Vehicles Act and in few cases the offence under Section 181 r/w Section 3(1) of the Motor Vehicles Act and some other offences under the Motor Vehicles Act.

5. In the Summary Trial Case covered by CrI.R.C. No.285 of 2018 the learned Magistrate discharged the second respondent under Section 258 Cr.P.C. observing that "Proceedings stopped. Accused discharged u/s 258 Cr.P.C." In the Summary Trial Case covered by CrI.R.C. No.426 of 2018 the learned Magistrate discharged the second respondent under Section 258 Cr.P.C. observing that "Accused deemed absconding. Proceedings stopped. Accused discharged." In the rest of the cases the learned Magistrate passed the following two word order: "Accused discharged". In these cases no reasons are stated in the order.

6. It is seen from the proceedings sheet in the above cases that the learned Magistrate ordered issuance of summons to the second respondent. Thereafter he ordered issuance of non-bailable arrest warrant. It was thereafter the order of discharge was passed. The learned Magistrate has not recorded that the summons was served on the second respondent or that non-

bailable arrest warrant was returned unexecuted. It is not even clear whether the process was actually issued from the court.

7. Even if it is assumed that the accused were absconding, the learned Magistrate should have initiated proceedings against them under Sections 82 and 83 Cr.P.C. The power under Section 258 Cr.P.C. cannot be exercised to stop the proceedings on the mere ground that the accused is absconding.

8. Thus, in any view of the matter, the order passed by the learned Magistrate in each of these criminal revision cases is patently illegal. It is liable to be set aside.

In the result, these criminal revision cases are allowed. The orders passed by the learned Magistrate in the Summary Trial Cases are set aside. The learned Magistrate is directed to take back the cases on his file and proceed with them in accordance with law.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

MC 14/11

/TRUE COPY/

PA TO JUDGE