

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

**PRESENT**

**THE HONOURABLE MR.JUSTICE K. BABU**

**FRIDAY, THE 25<sup>TH</sup> DAY OF AUGUST 2023 / 3RD BHADRA, 1945**

**OP(CRL.) NO. 612 OF 2023**

**IN CRL.MP 710/2022 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE  
(E&O), ERNAKULAM**

**PETITIONER:**

NEENU SATHEESAN  
AGED 36 YEARS  
D/O. SATHEESAN, MIG 432, 9TH CROSS ROAD,  
PANAMPILLY NAGAR, ERNAKULAM, PIN - 682036  
BY ADVS.  
RAMESH .P  
BLEIMY T.JOSE

**RESPONDENT:**

ANTONY JOSE  
AGED 42 YEARS  
S/O. JOSE FRANCIS, 39/513-A,  
AMBAZHAKKADAN HOUSE, MONASTERY ROAD,  
ERNAKULAM, PIN - 682011

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON  
25.08.2023, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**K.BABU, J.**

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O.P (Crl.).No.612 of 2023  
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Dated this the 25th day of August, 2023

**J U D G M E N T**

The reliefs prayed for in this O.P.(Crl.) are as follows:

"i) To direct the Honourable Additional Chief Judicial Magistrate Court (Economic Offences), Ernakulam for the speedy disposal of Crl.M.P.No.710/2022 in M.C.No.24/2020 within a period of two months.

ii) Dispense with filing of the translation of vernacular documents.

iii) To grant any other appropriate reliefs which is prayed by the petitioner during the course of hearing this Hon'ble Court may deem fit and necessary in the facts and circumstances of the cases."

2. This Court obtained a report from the Trial Court on the time span required for disposal of Crl.M.P.No.710/2022. The learned Magistrate reported thus:

"As per the reference cited above, I am directed to report as to the time required for the disposal of Crl.MP No. 710/2022 in MC No. 24/2020.

In obedience to the same the following facts are respectfully submitted:-

Crl.MP No.710/2022 on the file of this court was filed on 16.03.2022 and notice was ordered to the respondent. The respondent in the meanwhile filed an application for setting aside ex-parte order. Notice was repeated against the respondent and on 16.08.2022 the respondent appeared through a Legal Aid Counsel who filed memo to appear for

him. Subsequently, there was no representation for the respondent and no objection was also not filed. So, distress warrant was issued against the respondent on 27.12.2022. Thereafter respondent appeared and prayed for time for making payment and both parties were directed to file balance statement regarding the amount due. Subsequently, also there was no representation for the respondent and no payment was made. So distress warrant was issued against the respondent on 01.07.2023. After the receipt of this O.M., reminder is issued to expedite the execution of the distress warrant and return it as early as possible. So, all endeavours will be taken to get the distress warrant executed at the earliest."

3. It is reported that the learned Magistrate is taking all endeavours to execute the distress warrant issued against the respondent in Crl.M.P.No.710/2022. This Court feels that no further direction is required.

The Original Petition is closed.

Sd/-  
**K.BABU,**  
**JUDGE**

ab

**APPENDIX OF OP(CRL.) 612/2023**

PETITIONER EXHIBITS

ExhibitP1	TRUE COPY OF THE ORDER OF THE HONOURABLE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT (ECONOMIC OFFENCE), ERNAKULAM IN M.C. NO. 24/2020 DATED 15/09/2021
ExhibitP2	TRUE COPY OF THE PETITION PREFERRED BY THE PETITIONER, IN CRL. M.P. NO. 710/2022 IN M.C. NO. 24/2020 BEFORE THE HONOURABLE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT (ECONOMIC OFFENCES), ERNAKULAM DATED 22/12/2022

RESPONDENTS EXHIBITS: NIL