

(2024) 05 KL CK 0030

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 3777 Of 2024

Athulya Mohanan

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 07-05-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2024) 05 KL CK 0030

Hon'ble Judges : G. Girish, J

Bench : Single Bench

Advocate : K. Rakesh, Nima Jacob

Final Decision : Disposed Of

Judgement

G. Girish, J

1. The petitioners, who are accused Nos.2 and 3 in Crime No.350 of 2021 of the Edavanna Police Station, Malappuram, have filed this petition under Section 482 of the Code of Criminal Procedure, 1973 to quash the proceedings in C.C.No.1177 of 2021 of the Judicial First Class Magistrate Court-I, Manjeri, which arose out of the aforesaid crime.

2. According to the petitioners, a false case has been foisted against them and that the issue was in respect of a tree standing in a dangerous condition in between the properties of the defacto complainant and the petitioners.

3. As per the directions of this Court, a report was called for from the learned Magistrate, as to the time required for the disposal of the aforesaid case. As per the report dated 03.05.2024, the learned Magistrate sought six months' time for the disposal of the case.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor representing the respondents.

5. The learned counsel for the petitioners would submit that the disposal of the

aforesaid case on an earlier date is highly necessary since the petitioners are not in a position to avail employment abroad due to the pendency of the case.

6. Having regard to the inputs submitted by the learned Magistrate through her report dated 03.05.2024, the submissions made by the learned counsel for the petitioners and the learned Public Prosecutor and also the facts and circumstances of the case, I deem it appropriate to issue a direction to the learned Magistrate to dispose of C.C.No.1177 of 2021 pending before the said court as expeditiously as possible, at any rate, within a period of four months from the date of receipt of a copy of this order.

The Crl.M.C., stands disposed of as above.