

(2018) 03 KL CK 0039

In the High Court Of Kerala

Case No : Original Petition (Criminal) No. 67 Of 2018

B. Cherupushpam And Ors @APPELLANT@Hash State Of Kerala And Anr

Date of Decision : 01-03-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 294(b), 323, 324, 506(2)

Citation : (2018) 03 KL CK 0039

Hon'ble Judges : Sunil Thomas, J

Bench : Single Bench

Advocate : K.P.Santhi, Amjad Ali

Final Decision : Disposed Off

Judgement

1. The grievance of the petitioner herein is that they are arrayed as the accused in CC.No.175/2014 of Judicial First Class magistrate Court, Sasthamcotta, arising from Crime No.513/2013 of Sasthamcotta Police Station for offences punishable under sections 452, 294b, 506(2), 323, 324, 34 of the Indian Penal Code and the delay in the completion of the trial in that case causes irreparable injury and loss to the petitioners herein. According to them, they sought for a direction to the court below to complete the trial within a time frame.

2. Pursuant to a direction of this court, the learned Magistrate by communication dated 20.2.2018 has informed that CW2 and CW4 were examined as PWs 1 to 3, and the case now stands posted to 8.3.2018. It is stated that the court is functioning as a Munsiff - Magistrate and there are four days sitting in a week for attending criminal cases. The learned Magistrate has sought for 6 months time to dispose of the case. Having considered the nature of relief sought and the the relief that is proposed to be granted, I feel that a direction for early disposal may be beneficial to both sides and hence the notice to the second respondent is dispensed with. The O.P.(Crl) is disposed of with a direction that the court below shall take every endeavour to complete the trial as expeditiously, as possible, at any rate, within a period of 6 months from today. Communicate a copy this judgment to the court below.

O.P.(Crl) is disposed of as above.