

Kerala High Court

Smt.Alpha Mamai vs State Of Kerala on 1 June, 2007

IN THE HIGH COURT OF KERALA AT ERNAKULAM

CRL REF No. 7 of 2007()

1. SMT.ALPHA MAMAI

... Petitioner

Vs

1. STATE OF KERALA

... Respondent

For Petitioner :.

For Respondent :.

The Hon'ble MR. Justice R.BASANT

Dated :01/06/2007

O R D E R

R.BASANT, J.

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Crl.Ref.No.7 of 2007

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Dated this the 1st day of June 2007

O R D E R

This reference has been registered on the basis of a letter of reference by the learned Judicial First Class Magistrate Court

-V, Kozhikode. The accused faced allegations under Section 354,366 and 511 I.P.C. He is allegedly, an autorickshaw driver and an attempt was made to assault and molest a woman passenger in the

vehicle. His application for bail was dismissed by the courts below. An application was made before this court for grant of bail.

2. Another Bench of this court, by order dated 06/10/2006 declined to grant bail and also directed that the case itself will be disposed of within a period of two months from the date of receipt of a copy of the order.

3. Unfortunately, before the copy of the order was received, the learned Magistrate granted bail to the accused. As the case had to be committed to the court of Session on the basis of the final report, the learned Magistrate committed the case also.

4. The learned Magistrate was thus not able to comply with the directions to dispose of the case within a period of two months. Reporting that fact, this reference is made.

5. I am satisfied that no further directions are necessary in the matter. The accused having already been granted bail and the case having been committed. The directions have now thus become impossible of performance. No further directions are necessary.

5. This criminal reference is answered thus.

(R.BASANT, JUDGE) jsr R.BASANT, J.

CRL.M.CNo.

ORDER 21ST DAY OF MAY2007