

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 24TH DAY OF SEPTEMBER 2024 / 2ND ASWINA, 1946

CRL.MC NO. 6977 OF 2024

AGAINST ST NO.18 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S. AGED 50 YEARS, S/O SUDHAN, KOCHUPARAMBIL HOUSE, BALAGRAM.P.O., BALAGRAM, UDUMBANCHOLA TALUK, IDUKKI DISTRICT, PIN - 685552

BY ADVS. SRI. VARGHESE C. KURIAKOSE SMT.AMRITHA.J SRI.KURUVILLA MATHEW SRI.VIPIN C. VARGHESE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM, PIN - 682031
- 2 M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD., ARCOT ROAD, KODAMBAKKAM, CHENNAI, REP. BY POWER OF ATTORNEY HOLDER JOMY M.C. S/O CHACKO, SENIOR BUSINESS MANAGER, THODUPUZHA BRANCH, PIN - 685584



SMT.SREEJA V., PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC NOS.7204/2024, 7225/2024, 7240/2024, 7263/2024, 7349/2024 & 7370/2024, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS $\mbox{TUESDAY, THE } 24^{\text{TH}} \mbox{ DAY OF SEPTEMBER } 2024 \ / \mbox{ 2ND ASWINA, } 1946$

CRL.MC NO. 7204 OF 2024

CRIME NO.589/2018 OF Kattappana Police Station, Idukki

AGAINST ST NO.181 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S.

AGED 50 YEARS, S/O SUDHAN,

KOCHUPARAMBIL HOUSE,

BALAGRAM.P.O., BALAGRAM,

UDUMBANCHOLA TALUK,

IDUKKI DISTRICT, PIN - 685552

BY ADV VARGHESE C.KURIAKOSE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA
 REP BY PUBLIC PROSECUTOR,
 HIGH COURT OF KERALA
 ERNAKULAM, PIN 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD.,
 ARCOT ROAD, KODAMBAKKAM,
 CHENNAI,
 REP. BY POWER OF ATTORNEY HOLDER JOMY M.C.
 S/O CHACKO, SENIOR BUSINESS MANAGER,
 THODUPUZHA BRANCH, PIN 685584

SRI.C.N.PRABHAKARAN, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS $\mbox{TUESDAY, THE } 24^{\text{TH}} \mbox{ DAY OF SEPTEMBER } 2024 \ / \mbox{ 2ND ASWINA, } 1946$

CRL.MC NO. 7225 OF 2024

CRIME NO.589/2018 OF Kattappana Police Station, Idukki

AGAINST ST NO.39 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S AGED 50 YEARS, S/O SUDHAN, KOCHUPARAMBIL HOUSE, BALAGRAM.P.O., BALAGRAM, UDUMBANCHOLA TALUK, IDUKKI DISTRICT, PIN - 685552

BY ADV VARGHESE C.KURIAKOSE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA

 REP BY PUBLIC PROSECUTOR,

 HIGH COURT OF KERALA

 ERNAKULAM, PIN 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD.,
 ARCOT ROAD, KODAMBAKKAM,
 CHENNAI,
 REP. BY POWER OF ATTORNEY HOLDER JOMY M.C.
 S/O CHACKO,
 SENIOR BUSINESS MANAGER,
 THODUPUZHA BRANCH, PIN 685584

SRI.C.N.PRABHAKARAN, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC.NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS TUESDAY, THE 24TH DAY OF SEPTEMBER 2024 / 2ND ASWINA, 1946

CRL.MC NO. 7240 OF 2024

CRIME NO.589/2018 OF Kattappana Police Station, Idukki AGAINST ST NO.2 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S. AGED 50 YEARS, S/O SUDHAN, KOCHUPARAMBIL HOUSE, BALAGRAM.P.O., BALAGRAM, UDUMBANCHOLA TALUK, IDUKKI DISTRICT, PIN - 685552

BY ADVS. SRI.VARGHESE C.KURIAKOSE SMT.AMRITHA.J SRI.KURUVILLA MATHEW SRI.VIPIN C. VARGHESE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA REP BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM, PIN - 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD., ARCOT ROAD, KODAMBAKKAM, CHENNAI, REP. BY POWER OF ATTORNEY HOLDER JOMY M.C. S/O CHACKO, SENIOR BUSINESS MANAGER, THODUPUZHA BRANCH, PIN - 685584



SMT.SREEJA V., PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC.NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS $\mbox{TUESDAY, THE } 24^{\text{TH}} \mbox{ DAY OF SEPTEMBER } 2024 \ / \mbox{ 2ND ASWINA, } 1946$

CRL.MC NO. 7263 OF 2024

CRIME NO.589/2018 OF Kattappana Police Station, Idukki

AGAINST ST NO.38 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S AGED 50 YEARS, S/O SUDHAN, KOCHUPARAMBIL HOUSE, BALAGRAM.P.O., BALAGRAM, UDUMBANCHOLA TALUK, IDUKKI DISTRICT, PIN - 685552

BY ADV VARGHESE C.KURIAKOSE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA

 REP BY PUBLIC PROSECUTOR,

 HIGH COURT OF KERALA

 ERNAKULAM, PIN 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD.,
 ARCOT ROAD, KODAMBAKKAM,
 CHENNAI,
 REP. BY POWER OF ATTORNEY HOLDER JOMY M.C.
 S/O CHACKO,
 SENIOR BUSINESS MANAGER,
 THODUPUZHA BRANCH, PIN 685584

SRI.C.N.PRABHAKARAN, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.Mc.NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS $\mbox{TUESDAY, THE } 24^{\text{TH}} \mbox{ DAY OF SEPTEMBER } 2024 \ / \mbox{ 2ND ASWINA, } 1946$

CRL.MC NO. 7349 OF 2024

CRIME NO.589/2018 of Kattappana Police Station, Idukki

AGAINST ST NO.31 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S.

AGED 50 YEARS, S/O SUDHAN,

KOCHUPARAMBIL HOUSE,

BALAGRAM.P.O., BALAGRAM,

UDUMBANCHOLA TALUK,

IDUKKI DISTRICT, PIN - 685552

BY ADV VARGHESE C.KURIAKOSE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA

 REP BY PUBLIC PROSECUTOR,

 HIGH COURT OF KERALA

 ERNAKULAM, PIN 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD.,
 ARCOT ROAD, KODAMBAKKAM,
 CHENNAI,
 REP. BY POWER OF ATTORNEY HOLDER JOMY M.C.
 S/O CHACKO,
 SENIOR BUSINESS MANAGER,
 THODUPUZHA BRANCH, PIN 685584

SMT.SREEJA V., PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC.NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS $\mbox{TUESDAY, THE } 24^{\text{TH}} \mbox{ DAY OF SEPTEMBER } 2024 \ / \mbox{ 2ND ASWINA, } 1946$

CRL.MC NO. 7370 OF 2024

CRIME NO.589/2018 OF Kattappana Police Station, Idukki

AGAINST ST NO.180 OF 2016 OF JUDICIAL MAGISTRATE OF FIRST

CLASS-II, THODUPUZHA

PETITIONER/ACCUSED:

SANTHOSH.K.S.

AGED 50 YEARS, S/O SUDHAN,

KOCHUPARAMBIL HOUSE,

BALAGRAM.P.O., BALAGRAM,

UDUMBANCHOLA TALUK,

IDUKKI DISTRICT, PIN - 685552

BY ADV VARGHESE C.KURIAKOSE

RESPONDENTS/STATE/COMPLAINANT:

- 1 STATE OF KERALA
 REP BY PUBLIC PROSECUTOR,
 HIGH COURT OF KERALA
 ERNAKULAM, PIN 682031
- M/S SREE GOKULAM CHIT AND FINANCE COMPANY (P) LTD.,
 ARCOT ROAD, KODAMBAKKAM,
 CHENNAI,
 REP. BY POWER OF ATTORNEY HOLDER JOMY M.C.
 S/O CHACKO,
 SENIOR BUSINESS MANAGER,
 THODUPUZHA BRANCH, PIN 685584

SMT.SREEJA V., PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09.09.2024, ALONG WITH Crl.MC.NO.6977/2024 AND CONNECTED CASES, THE COURT ON 24.09.2024 PASSED THE FOLLOWING:



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BECHU KURIAN THOMAS, J

Crl.M.C.No. 6977, 7204, 7225, 7240, 7263, 7349 & 7370 of 2024

Dated this the 24th day of September, 2024

ORDER

Petitioner is an accused in seven different complaints filed under Section 138 of the Negotiable Instruments Act, 1881 9for short 'NI Act'). In these proceedings under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), he challenges three different orders issued by the learned Magistrate separately, in all seven cases.

- 2. In all these cases, the petitioner challenges three orders. Annexure A8 is an order dated 17-02-2024 dismissing petitioner's application for sending the cheque to the Central Forensic Science Laboratory. Annexure A14 is an order dated 24-07-2024 dismissing petitioner's application to summon a private person under Section 348 of the BNSS and to mark documents, while Annexure A16 is an order dated 12-06-2024 dismissing petitioner's application to issue summons to the complainant to produce documents allegedly in his custody. As the impugned orders are issued in cases arising between the same parties and all of them were issued, though separately, but on the same dates and since the issues raised are also identical, these cases are disposed of by this common order.
 - 3. S.T. No.18/2016, S.T. No.181/2016, S.T. No.39/2016, S.T.



No.02/2016, S.T. No.38/2016, S.T. No.31/2016 and S.T. No.180/2016 pending before the Judicial First Class Magistrate Court-II, Thodupuzha are the complaints filed by the second respondent alleging the offence under section 138 of the NI Act committed by the petitioner. According to the complainant, petitioner had joined various chitties with the defacto complainant and after the chitties were priced and disbursed to him, he defaulted in repaying the amounts. Subsequently in repayment of the defaulted amounts, petitioner issued cheques, which, when presented for encashment, returned dishonoured for the reason 'funds insufficient'. Despite the issuance of statutory notices, there was no response from the accused and hence the complaints were filed.

- 4. Since the accused denied the signature on all the cheques and contended that they were forged by the complainant and its staff, an application was filed on 09.09.2021 for sending the cheque for forensic examination. Though the applications were initially dismissed, subsequently, in Crl.M.C No.4371 of 2021 and connected cases, this Court directed the cheques to be sent for forensic examination. The Forensic Science Laboratory Kerala, by its report opined that the signatures on all the disputed cheques belonged to the accused himself
- 5. Being dissatisfied with the report from the Forensic Science Laboratory, petitioner filed an application to send the cheque for examination to the Central Forensic Science Laboratory. By the first of the impugned order dated 17.02.2024, (Annexure A8) the said application was dismissed. While so, the trial commenced and the examination of the complainant in all the cases was completed. A list of four witnesses was filed by the accused of which



three of them were the Managing Director, Director and Manager of the complainant. In the meantime, petitioner is purported to have obtained an opinion about the signature on the cheque from a private expert by name Mr. Khan Sahib. Thereafter, an additional list of witnesses was filed including the Branch Manager of the complainant as well as the private handwriting expert. Though the petitioner sought for issuance of summons to all the witnesses mentioned in Annexure A12, the learned Magistrate issued summons only to two of the three witnesses mentioned in Annexure A12. Petitioner filed another application seeking a direction to the complainant to produce certain documents like the original chit agreement, copy of the chit agreement and copy of balance sheets filed before the Registrar of Companies. The learned Magistrate by the impugned orders dismissed all three applications. Aggrieved by the above dismissals, these petitions under Section 528 BNSS have been preferred.

- 6. I have heard Sri. Varghese C. Kuriakose, the learned counsel for the petitioner as well as Smt. Sreeja V and Sri.C.N.Prabhakaran, the learned Public Prosecutors.
- 7. The proceedings under Section 138 of the NI Act relate to a transaction that took place in the year 2013. Despite issuing the statutory notices, the accused failed to reply and hence the complaints were filed in the year 2014. The complainant filed civil suits as well as criminal complaints. In 2021, the accused prayed for sending the cheques for forensic examination. Though the Magistrate dismissed those applications, subsequently, this Court directed all the cheques to be forwarded to the Forensic Science Laboratory of



the Government of Kerala as per order dated 15-03-2022 in Crl.M.C No. 4365/2021 and connected cases. However, the report from the FSL affirmed that the signature on the cheques belonged to the accused. Dissatisfied with the report, petitioner sought a direction to send the cheque for examination to Central Forensic Science Laboratory, which was dismissed by Annexure A8 order dated 17.02.2024. The said order was not challenged until this petition.

- 8. In the meantime, petitioner is purported to have approached a private handwriting expert and obtained a report. He wants to examine the said witness through the process of court by issuing summons to him. The court declined to issue summons to the private handwriting expert and also dismissed the application for production of certain documents.
- 9. In the impugned Annexure A8 order dated 17.12.2024, the learned Magistrate has specifically mentioned that the expert who compared the signatures and prepared the Forensic Reports has not been examined by the accused as a witness. Without examining the said expert and analysing the opinion given by him, there is no bonafides in filing a petition to send the cheques to the Central Forensic Science Laboratory. The accused is stated to have been protracting the matter for the last several years under one pretext or the other. After obtaining an adverse report from the State Forensic Science Laboratory, it is not open for an accused to keep on demanding that the disputed signature be sent to another laboratory. As rightly observed by the learned Magistrate, the opinion of a handwriting expert is not substantive evidence and the ultimate decision is that of the court. The petitioner is always at liberty to adduce appropriate evidence to prove that the signature did not



belong to him. The learned Magistrate came to the conclusion that without examining the expert from the State Forensic Science Laboratory, who gave a report pursuant to the direction of the court, sending the cheque to the Central Forensic Science Laboratory is only an attempt to delay the trial further. The said finding of the learned Magistrate cannot be said to be perverse in the circumstances of the case, warranting interference of this Court.

- 10. Section 45 of the Indian Evidence Act, 1872, which deals with opinion of experts, states that when the Court has to form an opinion as to the identity of handwriting, the opinion of persons specially skilled in such matters are relevant facts. The views expressed by an expert is not conclusive and is, on the other hand, only an opinion. The parties are free to let in evidence challenging its correctness and the Court is the ultimate arbiter to arrive at its own conclusions on the basis of evidence on record. The evidentiary value of the opinion of an expert depends upon the reasons given by him in his report. When direct evidence is forthcoming, even in respect of those aspects spoken to by an expert, the Court is not precluded from acting on such direct evidence, disregarding even the report of an expert.
- 11. The value of an expert's opinion should be adjudged in the same way as the evidence of any other witness and the reasons given by the expert in forming the opinion are always open to scrutiny and its soundness has to be tested in the light of the reasons given. In the decision in **Koragan v. Koran** [1978 KLT 872] it has been observed that it is always open to the opposite party to place materials in the form of cross-examination of the expert himself or other counter-evidence before the Court to shake the foundation on which



an expert opinion is formed. The counter-evidence may be the opinion of another person who is equally an expert in the matter.

- 12. However, once a report was elicited from an expert through the process of court, it is not open for a party, that too in a private complaint under section 138 of the NI Act, to keep using the process of the court to obtain another report, without even setting aside the first report. Repeated references to experts through court, for their opinion, when the report already obtained is unfavourable, is not a legally acceptable procedure to be resorted to in a trial. Otherwise, there will be no end to such requests and it can even lead to an unending process with repeated requests. In this context it is relevant to refer to the decision of the Andhra Pradesh High Court in **R. Bhaskar Reddy v.Chinni @ Chengal Reddy** [(1998) 3 ALD 113], wherein it was held that a party cannot seek an opinion from another expert when the earlier report was not favourable to him. Therefore the challenge against Annexure A8 orders in all these cases fail.
- 13. In Annexure A14, while declining to issue notice to the private expert, the learned Magistrate has observed that the report of the expert not being substantive evidence, it is not necessary to issue summons. Reliance was placed upon the judgment of the High Court of Jharkhand in **Chethan Sharma v. State of Jharkhand** (Crl.M.P. No.2764/2023). Though the court should be circumspect while appreciating the evidentiary value of a report obtained without the intervention of the court, there is no restriction in obtaining such a report. However, when such a report is obtained from a private expert without the intervention of the Court, and that too when the



originals of the cheques in question are in the custody of the Court, the party who obtained such a report cannot insist that the Court should issue summons to such a private witness. Nothing prevented the petitioner from examining the said witness on his behalf especially since that person's report was obtained by the petitioner without the intervention of the court. Private witnesses can certainly be brought in by parties to the litigation.

- 14. The decision in **Muhammed Sahir v. State of Kerala** [(2024) 4 KHC 449] referred to by the learned Counsel for the petitioner does not apply to the facts of the present case. The witnesses in **Muhammed Sahir's** case (supra) were Officials of the Government department. Further, in the instant case, the attempt is only vexatious and to delay the proceedings. In such a scenario, the learned Magistrate was justified in declining to issue summons to a private witness of the petitioner. Having regard to the above circumstances and the reasons stated by the learned Magistrate, I do not find any cause to interfere with Annexure A14 orders in all these cases, as well.
- directions for production of documents, the learned Magistrate has specifically mentioned that the attempt of the petitioner is to question what has already been admitted. The documents that are sought to be produced through the application are documents relating to the chit transaction. The chit transaction has been admitted by the petitioner and the defence taken is one of discharge of liability. To prove discharge of liability, the documents that are sought to be produced have no bearing especially since the accused has admitted receiving money pursuant to the chit transaction. Therefore Annexure A16 orders also



do not require any interference.

- 16. Thus all the impugned orders are well considered and the reasons given are legally tenable too. The orders therefore do not warrant any interference.
- 17. Of late, courts have been witnessing attempts to delay the conclusion of trials especially in cases arising under section 138 of the N.I Act. One of the easiest ways to protract such proceedings is to request the cheque to be sent for expert opinion. Though bonafide applications ought not to be rejected on the grounds of delay, when the court is satisfied that an application is vexatious or intended to delay the proceedings, certainly the trial court is entitled to reject such applications instead of meekly and blindly accepting the request for sending the cheque for forensic examination. The circumstances arising in each case ought to be appreciated by the trial court while arriving at such a conclusion. Reference in this context to the decision in **Francis v.Pradeep** [(2004) 2 KLT 1080] and **Reacon Engineers v. Kalyani Interiors and Others** [(2019) 5 KHC 822] are relevant.
- 18. In the instant case, petitioner had admittedly joined the chitty and had even received the chit amount. No reply notice was concededly issued after receipt of the statutory notice. It is quite explicit that the attempt of the petitioner is to delay and protract the trail of the cases and the learned Magistrate was justified in finding so. More than 10 years have elapsed and the cause of the complainant would be seriously prejudiced apart from stultifying the very object and purpose of the statute if the case is not disposed of at the earliest.



19. In such circumstances, while dismissing all these petitions, it is observed that the learned Magistrate shall take every endeavour to dispose of all the complaints pending as S.T. No.18/2016, S.T. No.181/2016, S.T. No.39/2016, S.T. No.02/2016, S.T. No.38/2016, S.T. No.31/2016 and S.T. No.180/2016 at the earliest, without further delay. The Registry of this Court shall communicate this order to the learned Magistrate immediately.

All these petitions are dismissed.

Sd/-BECHU KURIAN THOMAS JUDGE

vps



APPENDIX OF CRL.MC 6977/2024

PETITIONER'S/S' ANNEXURES

Annexure A1	PHOTOCOPY OF COMPLAINT DATED 06.03.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT DATED 27.01.2015 FILED BY THE PETITIONER IN O.S.NO.52/2015 BEFORE SUB COURT, KATTAPPANA
Annexure A3	PHOTOSTAT COPY OF THE C.M.P. NO.434/2021 IN S.T.NO.18/2016 DATED 09.09.2021 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A4	PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4371/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure A5	PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure A6	PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1037/2023 IN S.T.NO.18/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A7	PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1037/2023 IN S.T.NO.18/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A8	PHOTOSTAT COPY OF THE ORDER DATED 17.02.2024 IN C.M.P.NO.1037/2023 IN S.T.NO.18/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A9	PHOTOSTAT COPY OF THE LIST OF WITNESSES DATED 29.05.2024 FILED BY THE PETITIONER IN S.T.NO.18/2016 ON THE FILES OF JFCM-II THODUPUZHA.
Annexure A10	PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES



PHOTOSTAT COPY OF THE REPORT DATED 09.07.2024 Annexure A11 GIVEN BY KHAN SAHIB IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

PHOTOSTAT COPY OF THE ADDITIONAL LIST OF Annexure A12 WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

PHOTOSTAT COPY OF THE APPLICATION DATED Annexure A13 15.07.2024 AS C.M.P.NO.1105/2024 S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 Annexure A14 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.

Annexure A15 PHOTOSTAT COPY OF THE APPLICATION DATED 29.05.2024 AS C.M.P. NO.935/2024 S.T.NO.18/2016 ON THE FILES OF JFCM-II THODUPUZHA

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 Annexure A16 IN C.M.P.NO.935/2024 IN S.T.NO.18/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7204/2024

PETITIONER'S/S' ANNEXURES

Annexure A1	PHOTOCOPY OF COMPLAINT DATED 06.03.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT DATED 27.01.2015 FILED BY THE PETITIONER IN O.S.NO.59/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure A3	PHOTOSTAT COPY OF THE C.M.P. NO.435/2021 IN S.T.NO.181/2016 DATED 09.09.2021 ON THE FILES OF JFCM-II THODUPUZHA
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Annexure A10	PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES



Annexure A11	PHOTOS	TAT	COPY	OF	THE	REP	ORT	DATED	09.	07.2	2024
	GIVEN	BY	KHAN	SAH	IB :	IN S	S.T.	NO.2/2	016	ON	THE
	FILES	OF .	JFCM-	II T	HODU	JPUZ:	HA				

Annexure A12	PHOTOSTAT	COPY	OF	THE	ADDITI	ONAL	LIST	OF
	WITNESSES	DATED	15.	07.20	024 IN	S.T.	NO.2/2	016
	ON THE FIL	ES OF	JFCM	I-II 7	THODUPUZ	ZHA		

Annexure A	13	PHOTOSTAT	COPY	OF	THE	APPLI	CATION	DAT	ΈD
		15.07.2024	AS		C.M.P	.NO.11	05/202	4	IN
		S.T.NO.2/20	16 0	N	THE	FILES	OF	JFCM-	ΙI
		THODUPUZHA							

Annexure A14	PHOTOSTAT	COPY	OF	THE	ORDER	DATED	24.0	7.2	2024
	IN C.M.P.	NO.110)5/2	024	IN S.T	.NO.2/2	2016	ON	THE
	FILES OF	JFCM-1	ΞĮ,	THOD	UPUZHA				

Annexure A15	PHOTOSTAT	COPY	OF	THE	APPLIC	ATIO1	N DATED
	29.05.2024	AS	C	M.P.	NO.9	35/20	24 IN
	S.T.NO.181/	2016	ON	THE	FILES	OF	JFCM-II
	THODUPUZHA						

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 Annexure A16 IN C.M.P.NO.935/2024 IN S.T.NO.181/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7225/2024

PETITIONER'S/S' ANNEXURES

PETITIONER'S/S' AND	NEXURES
Annexure A1	PHOTOCOPY OF COMPLAINT DATED 06.03.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA.
Annexure A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT DATED 27.01.2015 FILED BY THE PETITIONER IN O.S.NO.61/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure A3	PHOTOSTAT COPY OF THE C.M.P. NO.421/2021 IN S.T.NO.39/2016 DATED 09.09.2021 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A4	PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4381/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure A5	PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure A6	PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1036/2023 IN S.T.NO.39/2016
Annexure A7	PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1036/2023 IN S.T.NO.39/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A8	PHOTOSTAT COPY OF THE ORDER DATED 17.02.2024 IN C.M.P.NO.1036/2023 IN S.T.NO.39/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A9	PHOTOSTAT COPY OF THE LIST OF WITNESSES DATED 29.05.2024 FILED BY THE PETITIONER IN S.T.NO.39/2016 ON THE FILES OF JFCM-II

THODUPUZHA.

Annexure A10

PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES



Annexure All	PHOTOSTAT	COPY	OF THE	REPORT	DATED 09.	07.2024
	GIVEN BY	KHAN	SAHIB	IN S.T.	NO.2/2016	ON THE
	FILES OF	JFCM-	II THOD	UPUZHA		

PHOTOSTAT COPY OF THE ADDITIONAL LIST OF Annexure A12 WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A13 PHOTOSTAT COPY OF THE APPLICATION DATED 15.07.2024 AS C.M.P.NO.1105/2024 S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A14 PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.

PHOTOSTAT COPY OF THE APPLICATION DATED Annexure A15 29.05.2024 AS C.M.P. NO.872/2024 S.T.NO.39/2016 ON THE FILES OF JFCM-II THODUPUZHA SUBMITTED BY THE PETITIONER

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 Annexure A16 IN C.M.P.NO.872/2024 IN S.T.NO.39/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7240/2024

PETITIONER'S/S' ANNEXURES

Annexure A10

Annexure	A1	PHOTOCOPY OF COMPLAINT DATED 19.02.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure	A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER IN O.S.NO.56/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure	A3	PHOTOSTAT COPY OF THE C.M.P. NO.422/2021 IN S.T.NO.2/2016 DATED 18.08.2021 ON THE FILES OF JFCM-II THODUPUZHA
Annexure	A4	PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4373/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure	A5	PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure	A6	PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1034/2023 IN S.T.NO.2/2016
Annexure	A7	PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1034/2023 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure	A8	PHOTOSTAT COPY OF THE ORDER DATED 17.02.202 IN C.M.P.NO.1034/2023 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure	A9	PHOTOSTAT COPY OF THE LIST OF WITNESSES DATED 29.05.2024 FILED BY THE PETITIONER IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA.

PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES



Annexure A11	PHOTOSTAT	COPY	OF THE	REPORT	DATED 09	.07.2024
	GIVEN BY	KHAN	SAHIB	IN S.T.	NO.2/2016	ON THE
	FILES OF	JFCM-	II THOD	UPUZHA		

PHOTOSTAT COPY OF THE ADDITIONAL LIST OF Annexure A12 WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A13 PHOTOSTAT COPY OF THE APPLICATION DATED 15.07.2024 AS C.M.P.NO.1105/2024 S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A14 PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.

PHOTOSTAT COPY OF THE APPLICATION DATED Annexure A15 29.05.2024 AS C.M.P. NO.871/2024 S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA SUBMITTED BY THE PETITIONER

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 Annexure A16 IN C.M.P.NO.871/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7263/2024

PETITIONER'S/S' ANNEXURES

Annexure A10

PETITIONER'S/S' ANNEX	CURES
Annexure A1	PHOTOCOPY OF COMPLAINT DATED 20.02.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER IN O.S.NO.58/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure A3	PHOTOSTAT COPY OF THE C.M.P. NO.437/2021 IN S.T.NO.38/2016 DATED 14.09.2021 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A4	PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4380/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure A5	PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure A6	PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1040/2023 IN S.T.NO.38/2016 FILED BY THE PETITIONER
Annexure A7	PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1040/2023 IN S.T.NO.38/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A8	PHOTOSTAT COPY OF THE ORDER DATED 17.02.202 IN C.M.P.NO.1040/2023 IN S.T.NO.38/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A9	PHOTOSTAT COPY OF THE LIST OF WITNESSES DATED 29.05.2023 FILED BY THE PETITIONER IN S.T.NO.38/2016 ON THE FILES OF JFCM-II THODUPUZHA.

PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES



Annexure A11	PHOTOSTA:	COPY	OF THE	REPORT	DATED 09.	07.2024
	GIVEN BY	KHAN	SAHIB	IN S.T.	NO.2/2016	ON THE
	FILES OF	JFCM-	II THOD	UPUZHA		

PHOTOSTAT COPY OF THE ADDITIONAL LIST OF Annexure A12 WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A13 PHOTOSTAT COPY OF THE APPLICATION DATED 15.07.2024 AS C.M.P.NO.1105/2024 S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA

Annexure A14 PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.

PHOTOSTAT COPY OF THE APPLICATION DATED Annexure A15 29.05.2024 AS C.M.P. NO.873/2024 S.T.NO.38/2016 ON THE FILES OF JFCM-II THODUPUZHA SUBMITTED BY THE PETITIONER

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 Annexure A16 IN C.M.P.NO.873/2024 IN S.T.NO.38/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7349/2024

PETITIONER'S/S' ANNEXURES

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Annexure A1	TRUE PHOTOSTAT COPY OF THE COMPLAINT DATED 06.03.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure A2	TRUE PHOTOSTAT COPY OF THE WRITTEN STATEMENT DATED 27.01.2015 FILED BY THE PETITIONER IN O.S.NO.60/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure A3	TRUE PHOTOSTAT COPY OF THE C.M.P. NO.419/2021 IN S.T.NO.31/2016 DATED 09.09.2021 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A4	TRUE PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4372/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure A5	TRUE PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure A6	TRUE PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1036/2023 IN S.T.NO.31/2016
Annexure A7	TRUE PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1036/2024 IN S.T.NO.31/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure A8	TRUE PHOTOSTAT COPY OF THE ORDER DATED 17.02.2024 IN C.M.P.NO.1036/2023 IN S.T.NO.31/2016 ON THE FILES OF JFCM-II, THODUPUZHA

TRUE PHOTOSTAT COPY OF THE LIST OF WITNESSES Annexure A9 DATED 29.05.2024 FILED BY THE PETITIONER IN S.T.NO.31/2016 ON THE FILES OF JFCM-II THODUPUZHA.



Annexure A10	TRUE PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS DATED 12.06.2024 FROM E-COURT SERVICES
Annexure A11	TRUE PHOTOSTAT COPY OF THE REPORT DATED 09.07.2024 GIVEN BY KHAN SAHIB IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A12	TRUE PHOTOSTAT COPY OF THE ADDITIONAL LIST OF WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A13	TRUE PHOTOSTAT COPY OF THE APPLICATION DATED 15.07.2024 AS C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A14	TRUE PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.

TRUE PHOTOSTAT COPY OF THE APPLICATION DATED Annexure A15 29.05.2024 AS C.M.P. NO.872/2024 S.T.NO.31/2016 ON THE FILES OF JFCM-II THODUPUZHA SUBMITTED BY THE PETITIONER

TRUE PHOTOSTAT COPY OF THE ORDER DATED Annexure A16 12.06.2024 IN C.M.P.NO.872/2024 S.T.NO.31/2016 ON THE FILES OF JFCM-II, THODUPUZHA.



APPENDIX OF CRL.MC 7370/2024

PETITIONER'S/S' ANNEXURES

Annexure A10

Annexure	A1	PHOTOCOPY OF COMPLAINT DATED 19.02.2014 SUBMITTED BY THE 2ND RESPONDENT BEFORE CHIEF
		JUDICIAL MAGISTRATE COURT THODUPUZHA.
Annexure	A2	PHOTOSTAT COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER IN O.S.NO.55/2015 BEFORE SUB COURT, KATTAPPANA.
Annexure	A3	PHOTOSTAT COPY OF THE C.M.P. NO.438/2021 IN S.T.NO.180/2016 DATED 14.09.2021 ON THE FILES OF JFCM-II THODUPUZHA
Annexure	A4	PHOTOSTAT COPY OF THE COMMON ORDER DATED 15.03.2022 IN CRL.M.C. NO.4365/2021 AND CONNECTED MATTERS OF THIS HON'BLE COURT.
Annexure	A 5	PHOTOSTAT COPY OF THE COMMON REPORT DATED 28.10.2023 OBTAINED FROM THE FORENSIC SCIENCE LABORATORY, TRIVANDRUM IN S.T.NO.2/2016.
Annexure	A6	PHOTOSTAT COPY OF THE APPLICATION DATED 15.12.2023 AS C.M.P.NO.1039/2023 IN S.T.NO.180/2016
Annexure	A7	PHOTOSTAT COPY OF THE OBJECTION DATED 07.01.2024 FILED BY THE COMPLAINANT/2ND RESPONDENT IN C.M.P.NO.1039/2023 IN S.T.NO.180/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure	A8	PHOTOSTAT COPY OF THE ORDER DATED 17.02.2024 IN C.M.P.NO.1039/2023 IN S.T.NO.180/2016 ON THE FILES OF JFCM-II, THODUPUZHA
Annexure	A9	PHOTOSTAT COPY OF THE LIST OF WITNESSES DATED 29.05.2023 FILED BY THE PETITIONER IN S.T.NO.180/2016 ON THE FILES OF JFCM-II THODUPUZHA.

PHOTOSTAT COPY OF THE DOWNLOADED PROCEEDINGS

DATED 12.06.2024 FROM E-COURT SERVICES

Annexure A16



2024:KER:71521

Annexure A11	PHOTOSTAT COPY OF THE REPORT DATED 09.07.2024 GIVEN BY KHAN SAHIB IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A12	PHOTOSTAT COPY OF THE ADDITIONAL LIST OF WITNESSES DATED 15.07.2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A13	PHOTOSTAT COPY OF THE APPLICATION DATED 15.07.2024 AS C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II THODUPUZHA
Annexure A14	PHOTOSTAT COPY OF THE ORDER DATED 24.07.2024 IN C.M.P.NO.1105/2024 IN S.T.NO.2/2016 ON THE FILES OF JFCM-II, THODUPUZHA.
Annexure A15	PHOTOSTAT COPY OF THE APPLICATION DATED 29.05.2024 AS C.M.P. NO.873/2024 IN

S.T.NO.180/2016 ON THE FILES OF JFCM-II

PHOTOSTAT COPY OF THE ORDER DATED 12.06.2024 IN C.M.P.NO.873/2024 IN S.T.NO.180/2016 ON

THODUPUZHA SUBMITTED BY THE PETITIONER

THE FILES OF JFCM-II, THODUPUZHA.