

KLKM350036552022



Presented on : 31-12-2022
Registered on : 31-12-2022
Decided on : 14-12-2024
Duration : 1 years, 11 months, 14 days

**IN THE COURT OF
Judl First Class Magistrate
AT Kottarakkara,Kollam
(Presided Over by AMAL S.R)**

ST/102846/2022

Exhibit No.

Petitioner(PROSECUTION):
State of Kerala (Police)
Through Police Station Officer Chithara PS
1331, VALAVUPACHA, CHITHARA, KOLLAM RURAL, KERALA, INDIA
KottarakkaraKollam

State of Kerala (Police)

VERSUS

Respondent:
ABU FAHAD
Age: 31
Occupation :
FAHAD LAND, KUMMIL VILLAGE, PULIPPARA PO, KADAKKAL, KOLLAM
RURAL, KERALA, INDIA

APP for State Petitioner} : ,
Advocate for appearing for ABU FAHAD Advocate appearing for , respectively.

**Offence punishable under :
279 of IPC,**

**185 of Motor Vehicle Act \,
of ,
of ,**

**JUDGMENT
(Delivered on 14-12-2024)**

ORDER

1. Despite repeated issuance of summons, the presence of the accused person could not be secured. Now the Station House Officer filed a report stating that the whereabouts of the accused persons could not be traced out despite taking earnest effort and it is also stated that the expenses to be incurred in procuring the presence of the accused will far exceed the fine amount imposable for the offence.
2. I have gone through the report and case records. I am satisfied that 'notwithstanding the earnest effort taken by the prosecution, it has not so far been able to secure the presence of the accused and it is further seen that the costs that will be incurred in procuring his presence will far exceed the maximum fine imposable in this case.
3. In the decision OP (Criminal) No. 809/2023 dated 05.12.2023, the Hon'ble High Court has held that the proceeding in such circumstances can be terminated by invoking S. 258 of Cr.P.C . This is found to be a fit case to invoke the provision by invoking the S. 258 of Cr.P.C and accordingly, the proceedings is hereby stopped and the accused stands discharged.

Date : **14-12-2024** (AMAL S.R)

Judl First Class Magistrate

KottarakkaraKollam

Dictated on :
Transcribed on :
checked on :
Signed on :

(AMAL S.R)
Judl First Class Magistrate

KottarakkaraKollam

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