

ORDER

The PSI of Kundapura police station has filed the Charge Sheet in Cr.No.144/2012 against the accused No.1 to 3 for the offence punishable U/s 341, 323, 324, 504 r/w 34 of IPC. It is numbered as CC. 2059/2012.

2. To secure the presence of the accused the Court has issued many a times summons and NBW. The presence of the accused were not secured as they were absconding. Therefore, this Court proceeded U/s. 82 of Cr.P.C. and ordered for proclamation. The proclamation was duly published on 18.07.2022. The accused neither appeared before the Court nor brought by the police. It was reported by the Tahasildar of Kundapura Taluk, that the accused is not having any movable and immovable properties in his name. Therefore, this Court proceeded to record the evidence as contemplated U/s 299 of Cr.P.C.

3. Out of 12 witnesses stated in the charge-sheet, the prosecution has examined CW1, CW2, CW10 to 12 as PW1, PW4 to PW7. CW3 to CW5 were given up as per the prayer made by the learned APP. The A.S.I. Ananda B., and Harish, who published proclamation has been examined as PW2 and PW3. The proclamation warrant, requisition and the proclamation are marked as Ex.P2 to Ex.P5 and Ex.P10 and 11, Ex.P1 is complaint, Hospital intimation as Ex.P13, FIR as Ex.P14 and mahazar as Ex.P15. The report of Tahasildar, Kundapura Taluk marked as Ex.P8, 9 and 12.

4. On perusal of these records it appears that the presence of accused persons is not secured

inspite of all efforts. Therefore, the presence of the accused can not be secured within a reasonable time and there is no chances to accused being secured in a near future. This is a fit case to be transferred to the long pending register. Hence this Court transfered the record seeking permission to transfer this case to the register of long pending case.

ORDER

Office is directed to address the letter along with records of the case to Hon'ble District and Sessions Court, Udupi, seeking permission to transfer this case to the Register of Long pending cases.

Call on 16.08.2024.

Addl. Civil Judge & JMFC,
Kundapura.