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SLP(Crl.)No. 3856 OF 1999  
ITEM No.1

Court No.11

SECTION II  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CRLMP NOS. 7277 & 7387 IN

Petition(s) for Special Leave to Appeal (Crl.) No. 3856/1999  
(From the judgement and order dated 06/08/1999 in CRLRP 490/97  
of The HIGH COURT OF KERALA AT ERNAKULAM)

MUHAMMED KUNJU

Petitioner (s)

VERSUS

NARAYANAN ACHARI AND ANR.

Respondent (s)

(For clarification /modification of Court's order dated 08.12.1999 and permission to file list  
of dates and annexures and office report)

Date : 28/03/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR  
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s) Mr. K. Sukumaran, Sr. Adv.  
Ms. Karthika S., Adv.  
Mr. Nishe Rajen Shonker, Adv.  
Mr K. Rajeev, Adv.

For Respondent (s) M/s B.V. Deepak & Dilip Pillai, AdvS. for  
M/s. T.T.K.-Deepak & Co., AdvS.

Mr. Ramesh Babu M.R., Adv.

UPON hearing counsel the Court made the following  
O R D E R

Having heard the learned counsel for the parties, it is evident that the order which was passed by the learned Magistrate, namely, the S.D.M. Dated 5th June, 1997 was passed under Section 138 of the Code of Criminal Procedure whereas this Court on 8th December, 1999 passed the order under the impression that the proceedings were still pending before the Magistrate. We, therefore, consider it appropriate that the Special Leave Petition be listed again for fresh consideration and appropriate orders. This application stands finally disposed of.

KALYANI (ASHA JOSHI)  
COURT MASTER