

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

Tuesday, the 30<sup>th</sup> day of May 2023 / 9th Jyaishta, 1945

CRL.MC NO. 4182 OF 2023

CRIME NO.703/2022 OF Kozhikode Town Police Station, Kozhikode

PETITIONERS/ACCUSED NOS: 1 & 4:

1. VIJAY KIRGANDUR, AGED 47 YEARS, S/O THIMMEGOWDA, DESIGNATED PARTNER, HOMBALE FILIMS 2ND FLOOR, OPPO ORION MALL, BANGALORE, RAJAJI NAGAR, BANGALORE, KARNATAKA, PIN - 560 010.
2. B L AJANEESH @ AKA AJJU, AGED 34 YEARS, S/O. B.LOKMATH, @343, DIVIK GOKUL, 3RD FLOOR, DOOR NO. 3/6, JAYA NAGAR 2ND BLOCK, BANGALORE, KARNATAKA - 560 011.

RESPONDENTS/STATE/COMPLAINANTS:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM DISTRICT - 682 031.
2. THE STATION HOUSE OFFICER, KOZHIKODE TOWN POLICE STATION KOZHIKODE DISTRICT - 673 001.
3. THE MATHRUBHOOMI PRINTING AND PUBLISHING COMPANY LTD KP KESHAVA MENON ROAD, KOZHIKODE TOWN, KOZHIKODE DISTRICT - 673 001, REPRESENTED BY ITS AUTHORIZED SIGNATORY G.ANAND.

This Criminal Miscellaneous Case coming on for orders upon perusing this petition and upon hearing the arguments of M/S.ANOOP.V.NAIR, P.B.KRISHNAN, LAYA MARY JOSEPH & AVANTHIKA R, Advocates for the petitioners and of PUBLIC PROSECUTOR for the respondents 1 and 2, the Court passed the following:

**RAJA VIJAYARAGHAVAN V, J.**

**Crl.M.C No. 4182 of 2023**

**Dated this the 30th day of May, 2023**

**ORDER**

Issue notice by speed post to the 3rd respondent. Alternatively, the petitioner may serve a copy of the petition to the counsel appearing for the 3rd respondent in the connected matters.

Sri. Anoop V. Nair, the learned counsel appearing for the petitioners, points out that while passing Annexure-VIII order, the learned Magistrate has taken note of certain observations passed by this Court while passing orders in Bail Application No.759 of 2023. According to the learned counsel, the order passed by this Court was taken before the Hon'ble Supreme Court and the Hon'ble Supreme Court was pleased to modify certain conditions as is evident from Annexure XI and XII. The learned counsel would also refer to the judgment rendered by the Civil Court and it is submitted that if Annexure VIII order is allowed to stand, serious hardships would be caused to the petitioners herein. He points out that connected matters are posted for hearing on 05.06.2023.

Having regard to the submissions advanced, all further proceedings pursuant to Annexure VIII will stand stayed for a period of two weeks.

Post on 05.06.2023.

Sd/-

**RAJA VIJAYARAGHAVAN V,  
JUDGE**

sru



**APPENDIX OF CRL.MC 4182/2023**

**Annexure VIII**

**A TRUE COPY OF THE ORDER DATED 05.04.2023 PASSED BY THE  
CHIEF JUDICIAL MAGISTRATE, KOZHIKODE**

