

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Crl.MC.No. 637 of 2015

CRIME NO. 1758/2014 OF ANTHIKAD POLICE STATION , TRISSUR

PETITIONER(S)/ACCUSED:

**PRASOBH, AGED 59 YEARS
S/O.GOPI, KARUTHEDATH HOUSE, MANGATTUKARA DESOM
PADIYAM VILLAGE, THRISSUR DISTRICT.**

BY ADV. SRI.YASH THOMAS MANNULLY

RESPONDENT(S)/DEFACTO-COMPLAINANT AND STATE:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. LALITHA, AGED 59 YEARS
W/O.GOPI, KARUTHEDATH HOUSE, MANGATTUKARA DESOM
PADIYAM VILLAGE, THRISSUR DISTRICT-680696.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS
R2 BY ADV. SRI.P.A.GIREESH KUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 637 of 2015

APPENDIX

PETITIONERS'ANNEXURES

**A1: CERTIFIED COPY OF THE FIR IN CRIME NO.1758/2014 OF ANTHIKKAD POLICE
STATION DATED 13/12/14**

A2: AFFIDAVIT BY THE R2

RESPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 637 of 2015

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Dated this the 4th day of March, 2015

O R D E R

The accused in Crime No.1758/2014 of the Anthikkad Police Station registered for the offences punishable under Sections 341, 323, 436 and 427 IPC, has come up under Section 482 Cr.P.C., for getting all further proceedings pursuant to Annexure-A1 FIR in the said crime, quashed.

2. Serious allegations have been levelled against the petitioner in the matter. He has allegedly caused a wrongful loss of ₹1,50,000/- to the de facto complainant by setting fire to the household articles, utensils and furniture in the house of the de facto complainant in a drunken mood. According to the petitioner, the matter has been amicably settled between the petitioner and the de facto complainant, who is his mother. At the same time, considering the seriousness of the allegations and the facts and circumstances of the case, I am of the view that this is not a fit case

wherein the proceedings can be quashed under Section 482 Cr.P.C.

3. It is for the petitioner to surrender before the investigating officer and to co-operate with the investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
B.KEMAL PASHA, JUDGE

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