

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Crl.MC.No. 1217 of 2015 ()

CRIME NO. 2979/2014 OF ANGAMALI POLICE STATION , ERNAKULAM

PETITIONER(S)/DEFACTO COMPLAINANT:

POLACHAN AGED 56 YEARS
S/O DEVASSY, KALAMPARAMBU HOUSE, MAMBRA II WARD
PARAKKADAVU PANCHAYATH, ANKAMALY, ERNAKULAM DISTRICT.

BY ADV. SRI.B.JAYASURYA

RESPONDENT(S)/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.(REPRESENTING SUB INSPECTOR OF POLICE
ANKAMALY POLICE STATION, ERNAKULAM)

BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
08-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 1217 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1- CERTIFIED COPY OF THE FIR AND FIS IN CRIME NO. 2979/14 IF
ANKAMALY POLICE STATION.

ANNEXURE A2 - TRUE COPY OF THE ELECTORAL IDENTITY CARD OF THE
PETITIONER.

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.S TO JUDGE

P.UBAID, J.
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**Crl.M.C No.1217 of 2015**  
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Dated this the 8th April, 2015

O R D E R

The petitioner herein is the de facto complainant in Crime No.2979 of 2014 of the Ankamaly Police Station, registered under Sections 342 and 392 read with Section 34 of Indian Penal Code. He seeks orders quashing the F.I.R and further proceedings on the ground that his complaint was not properly and correctly recorded by the police. He has even gone to the extent of saying that the complaint, as recorded by the police, is false. If his complaint was not properly and correctly recorded, he has remedies under the law. He will have to tell the Investigating Officer that his statement requires some modification or addition. If he has omitted to say anything to the police in the complaint or thereafter, he can give a further statement to that effect as part of investigation. If there is some mistake or error in the statement given by him, that also can be corrected by way of further statement to the Investigating Officer. Thus, the petitioner has remedies under the law, if at all he is

aggrieved that his statement was not properly or correctly recorded by the police. His remedy is not have the crime itself quashed. He can very well approach the Investigating Officer and give a further statement containing the true facts and allegations which he wants to make.

It is submitted by the learned counsel for the petitioner that the petitioner apprehends harassment by the police. I do not think that the police will harass the complainant. If anybody harass him, he can report the fact to court.

With these observations, this Crl.M.C is disposed of.

**Sd/-
P.UBAID
JUDGE**

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/True copy/

P.S to Judge