

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Crl.MC.No. 2652 of 2015

LP 1/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - I, CHALAKUDY
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PETITIONER(S)/SOLE ACCUSED:

**JINESH, AGED 34 YEARS,
S/O.SUDHAKARAN, CHATHAKUDOM HOUSE, VADAMA,
MALA, THRISSUR DISTRICT.**

**BY ADVS.SRI.MANSOOR.B.H.
SRI.M.T.BIJU**

RESPONDENT(S)/COMPLAINT/STATE:

**1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
(THROUGH STATION HOUSE OFFICER, MALA POLICE STATION,
THRISSUR DISTRICT - 680 124)**

**2. LATHA , AGED 43 YEARS,
W/O.SASI, CHATHAKUDOM HOUSE, VADAMA,
MALA, THRISSUR DISTRICT - 680 124.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADVS. SMT.I.SHEELA DEVI
SRI.BINESH.K.N.
SRI.T.JAYAN**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
05-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 2652 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A: COPY OF THE FINAL REPORT IN CRIME NO.606/2011 OF MALA POLICE
STATION.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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Crl.M.C. No. 2652 of 2015

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Dated this the 5th day of October, 2015

ORDER

The petitioner is the sole accused in L.P.No.1/2013 on the files of the Judicial First Class Magistrate's Court, Chalakudy, which has arisen from Crime No.606/2011 of the Mala Police Station, for the offences under Sections 294 (b) and 506(1) of the IPC.

2. According to the petitioner, there are no allegations for inviting the offence under Section 294(b) IPC in the matter. The further case is that the offence under Section 506(1) IPC is not a cognizable offence and therefore, the Police should not have registered the Crime for such an offence, without the orders of the Magistrate.

3. The learned Public Prosecutor has pointed out that there are materials to bring out the offence under Section 294(b) IPC, provided the allegations are proved. Matters

being so, there is absolutely nothing wrong in registering the Crime. The court below shall dispose of the application seeking bail, that may be filed by the petitioner on his surrender before the court below within '15' days from today, on the date of filing itself.

With the said direction, this Crl.M.C is closed.

Sd/-
B.KEMAL PASHA, JUDGE

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