

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 2671 of 2015 ()

**CC.NO. 1532/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -III, PUNALUR
CRIME NO. 34/2014 OF PUNALUR POLICE STATION , KOLLAM DISTRICT**

PETITIONER/1ST ACCUSED:

**MURALEEDHARAN PILLAI,
S/O.VASUDEVAN PILLAI, AGED 49 YEARS,
NILAVU, ARAMPUNNA,
PUNALUR P.O, KOLLAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT:

- 1. STATE,
REPRESENTED BY THE STATION HOUSE OFFICER,
PUNALUR POLICE STATION, PUNALUR,
KOLLAM DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SMT. SOBHA PRADEEP,
W/O.PRADEEP, KAIPPALLIL VEEDU, TOWN WARD,
PUNALUR P.O, PATHANAPURAM TALUK, KOLLAM.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADVS. SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN
SMT.T.J.SEEMA**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

Crl.MC.No. 2671 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX A1: THE TRUE COPY OF THE COMPLAINT AND FIR IN CRIME NO.34/2014
OF PUNALUR POLICE STATION IN KOLLAM DISTRICT**

**ANNEX A2: THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.34/2014 OF
PUNALUR POLICE STATION IN KOLLAM DISTRICT PENDING AS
CC.NO.1532/2014 ON THE FILE OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT III, PUNALUR**

**ANNEX A3: THE TRUE COPY OF THE JUDGMENT DATED 29.05.2012
WPC.NO.9916/2012 OF THIS HON'BLE COURT**

RESPONDENT(S)' ANNEXURES: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

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Crl. M.C.No. 2671 of 2015

Dated this the 24th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioner is the first accused in C.C. No.1532 of 2014 on the file of the Judicial First Class Magistrate-III, Punalur. He is charged with having committed the offences under Sections 354(A)(IV) and 500 IPC. The prayer is to quash the proceedings in the criminal case on the ground that no offence is made out.

3. Heard the learned counsel for the petitioner and for the second respondent and the learned Public Prosecutor.

4. The proceedings in the criminal case are sought to be quashed on the ground that no offence is made out. If the materials relied on by the prosecution do not disclose commission of any offence by the petitioner, his remedy is to plead for discharge. Whether the offence under Section 500 IPC can be taken cognizance by the Magistrate also can be determined by the Magistrate. The petitioner may plead for discharge if the charge has not been framed.

In the result, this Crl. M.C. is disposed of with the above observation.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge