

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 19372

Crl.MC.No. 2879 of 2015 ()

CC 447/2006 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II,ATTINGAL

PETITIONER/DEFACTO COMPLAINANT :

**JUMAILA BEEVI.S, AGED 43 YEARS,
D/O.SULEGHA BEEVI, VARUVILAKAM HOUSE, KARIYIL DESOM,
KAZHAKKUTTAM, THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA**

RESPONDENTS/RESPONDENTS & STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, PIN-682031.**
- 2. THE STATE POLICE CHIEF,
THIRUVANANTHAPURAM-695001.**
- 3. THE SUPERINTENDENT OF POLICE(RURAL),
THIRUVANANTHAPURAM-695001.**
- 4. THE SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695001.**
- 5. NIZAR.A, AGED 50 YEARS,
S/O.ASSANARUPILLA, NIFILA MANZIL, KARICHARA,
VALLIYAVEETUMURI, PALLIPPURAM VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**
- 6. NAZEEMA,
D/O.ASSANARUPILLA, AMEER COLLEGE, CHERUVILLY,
POTHENCODE, THIRUVANANTHAPURAM DISTRICT-695584.**
- 7. NAZEERA BEEVI,
D/O.ASSANARUPILLA, NADIYA MANZIL, KARICHARA
THIRUVANANTHAPURAM DISTRICT-695001.**

8. NAZEEHA BEEVI,
D/O.ASSANARUPILLA, KIZHAKKATHIL HOUSE, KARICHARA
PALLIPPURAM, THIRUVANANTHAPURAM DISTRICT.
 9. ABDUL JAMEEL,
S/O.ASSANARUPILLA, KIZHAKKATHIL HOUSE, KARICHARA,
PALLIPPURAM, THIRUVANANTHAPURAM DISTRICT-695316.
 10. THAHA,
S/O.ASSANARUPILLA, ROSE VILLA, KARICHARA,
THIRUVANANTHAPURAM DISTRICT-695001.
 11. ABDA,
S/O.ASSANARUPILLA, A.T.NIVAS, KARICHARA,
PALLIPURAM, THIRUVANANTHAPURAM-695316.
 12. SALMA BEEVI,
W/O.ASSANARUPILLA, ROSE VILLA, KARICHARA
PALLIPURAM, THIRUVANANTHAPURAM DISTRICT-695316.
- R1 TO R4 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE-A1: TRUE COPY OF THE FIR DATED 5/10/2015 IN CRIME NO.725/05
OF MANGALAPURAM POLICE STATION ALONG WITH
COMPLAINT LODGED BY THE PETITIONER DTED 20/9/2015.**

ANNEXURE-A2: TRUE COPY OF THE FINAL REPORT DATED 18/1/2006.

**ANNEXURE-A3: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN
WP(C)7116/2007 DATED 26/3/2007.**

ANNEXURE-A4: TRUE COPY OF FINAL REPORT DATED 2/11/2007.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

Crl.M.C.No.2879 2015

Dated this the 25th day of May 2015

O R D E R

Petitioner is the first informant in Crime No.725 of 2005 of the Mangalapuram Police station. Her complaint was that her mother-in-law, brothers-in-law and sisters-in-law committed the offences under Secs.406 and 498A of Indian Penal Code. After investigation, the Police filed final report to the effect that her husband alone committed the offence under Sec.498A IPC. Dissatisfied with the report, she filed a petition before the 2nd respondent which was allegedly not taken into consideration. Thereupon, she filed W.P.C. No.7116 of 2007 in this Court. On the basis of the submission made on behalf of the State that the 3rd respondent was conducting further investigation the writ petition was disposed of. Thereafter, the Police filed additional final report stating that the 5th respondent committed the offence under Sec.494 IPC also. The petitioner is aggrieved by that report also. Her case is that, there was

no further investigation and a proper further investigation would hence revealed involvement of the other respondents also in the commission of the offence.

2. Heard.

3. If the petitioner is not satisfied with the final reports, she may file a complaint before the learned Magistrate and adduce evidence in support of her case. Further investigation cannot be an endless proceedings. If the Magistrate is satisfied that there is prima facie case, he may pass appropriate orders in C.C. No.447 of 2006 of Judicial First Class Magistrate Court-II, Attingal with regard to its trial.

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

Sd/-
K. ABRAHAM MATHEW
JUDGE

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/ True Copy /

P.A. To Judge