

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Crl.MC.No. 2888 of 2015 ()

**CMP 2087/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, PARAPPANANGADI
CRIME NO. 478/2013 OF THIRURANGADI POLICE STATION, MALAPPURAM**

PETITIONER/COMPLAINANT :

**ANCHUKANDAN MUHAMMED SHERIF @ RAJAN, AGED 45 YEARS,
S/O. CHERIA CHEKKU @ CHEKKU, NERUKKU HOUSE,
ALIYARAM PARA, OORGATTIRI P.O., AREEKODE,
MALAPPURAM DISTRICT.**

BY ADV. SRI.VARGHESE K.PAUL

RESPONDENTS/STATE :

- 1. SUB INSPECTOR OF POLICE
TIRURANGADI POLICE STATION, TIRURANGADI,
MALAPPURAM DISTRICT-676 306.**
- 2. STATE OF KERALA
REPRESENTED THROUGH ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. S. HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE A1 :** **A COPY OF THE PRIVATE COMPLAINT FILED BY THE
PETITIONER AS CMP NO.2087/2013 ON THE FILE OF THE
HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
PARAPPANANGADI, DTD.1.6.2013.**
- ANNEXURE A2 :** **A COPY OF THE FIR IN CRIME NO.478/2013 OF TIRURANGADI
POLICE STATION, DTD.5.6.2013.**
- ANNEXURE A3 :** **A COPY OF THE REPORT OF THE FINGER PRINT EXPERT,
FINGER PRINT BUREAU, THIRUVANANTHAPURAM,
DTD.28.12.2013.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ALEXANDER THOMAS, J.

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Dated this the 23rd day of June, 2015.

ORDER

The prayer in this Crl.M.C is as follows:

“To direct the 1st respondent to investigate Crime No.478/2013 of Tirurangadi Police Station fairly, properly and file final report in the above crime expeditiously at nay rate within the time limit fixed by this Hon'ble Court.”

2. In compliance with the directions issued by this Court, the 1st respondent-Investigating Officer (Sub Inspector of Police, Tirurangadi Police Station) has filed a statement dated 22.6.2015 in Crl.M.C.No.2888/2015. Paragraph 2 onwards of the statement reads as follows:

“2. It is respectfully submitted that, a case registered on the strength of statement filed by the complainant Sri.Archukandan Muhammed Shereef @ Rajan age 43/13, @/o Cheriya Chekku @ Chekku, Nerook House, Aliyarampra, Urngattiri Post, Areekkode, Malappuram District before the Hon'ble Judicial First Class Magistrate Court Parappanangadi as CMP 2087/2013. The brief in case is that the accused persons jointly cheated the complainant by Impersonation and that way sold out an extent of 5 cents of land which belongs to the complainant vide document No.1050/2004 of Sub Registrar

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Office, Tirurangadi and that way the accused persons cheated the complainant.

3. The investigation conducted in this case so far revealed that an extent of 5 cents of land has been registered wide document No.1050/2004 at Tirurangadi Sub Registrar Office. According to this document, it is seen that the property has been sold out to Smt.Vattaparamban Kalyani, W/o. Ramesan Kottekkattuparambil House, by Anchukandan Muhammed (complainant). Smt.Kalyani belong to Scheduled Caste submitted this document at District Panchayat office, Malappuram for getting financial aid for the construction of a building. On getting this information, this respondent obtained the original document from the Assistant Registrar, District Panchayath Office, Malappuram and send the same along with the specimen signature and finger print of the complainant to FSL/FP Bureau, Thiruvananthapuram for ascertaining that the signature and the finger print on the original document is not belong to the complainant. The FSL certificate which shows the signature of the original document not belongs to the complainant.

4. It is submitted that on investigation, it is revealed that, the petitioner's wife (Sainabha) and brother in law (Ilyas), who are the accused in this case, jointly and with the intention to cheat the petitioner, impersonate as the petitioner and that way sold out an extent of 5 cents of land to Smt.Vattaparamban Kalyani which belongs to the complainant vide document No.1050/2004 of Sub Registrar Officer, Tirurangadi.

5. It is submitted that the investigation reveals that only A5 and A6 in the FIR is involved in the commission of offence and A1 to A4 were deleted from the array of accused. Hence, a report filed before Judicial First Class Magistrate Court, Parappanangadi to that effect on 20.6.2015.

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6. It is submitted that the accused Madappalli Ilyas, S/o. Mammed Haji, Madappalli House, Cheerakuzhi House, Andikettichalil, Kavanur P.O, Arecode was arrested and produced before the Hon'ble Judicial First Magistrate Court Parappanangadi on 19.6.2015 and remanded in judicial custody.

The remaining accused, Sainaba, D/o.Muhammed Haji, Madappalli House, Cheerakuzhi House, Andikettichalil, Kavanur P.O., Arecode is absconding.

I submit that all efforts are being taken to arrest the remaining accused and charge sheet will be submitted within 2 weeks."

It is specifically undertaken in the said statement that all efforts will be taken to complete the formalities and the investigation and to ensure that Final Report/Charge Sheet is filed within two weeks.

3. In the light of the submission made by the Investigation Officer that all efforts will be taken to ensure that Final Report/Charge Sheet will be filed without any further delay, no further orders are necessary in this Crl.M.C.

With the above observations and directions the Crl.M.C stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-