

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Crl.MC.No.2931 of 2015

**SC NO.137/2014 OF THE DISTRICT AND SESSIONS COURT,MANJERI.
CRIME NO.1052/2013 OF THIRURANGADI POLICE STATION,MALAPPURAM.**

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PETITIONER'S/ACCUSED 2 TO 4:

1. SOUDATH, D/O.SAIDU MUHAMMED,AGED 46 YEARS,
CHENGANAKKATTIL HOUSE,PORUR,POST POOKKAYIL,
TIRUR TALUK,MALAPPURAM DISTRICT.
2. SIDDIQUE,S/O.ALAVI AGED 48 YEARS,
PANATTU HOUSE,SOUTH ANNARA,
POST THRIKKANDIYUR,TIRUR TALUK,
MALAPPURAM DISTRICT.
3. ABDUL JALEEL PILAKKAL,S/O.SAIDALAVI,
AGED 47 YEARS,PILAKKAL HOUSE,
POST THRIKKANDIYUR,TIRUR TALUK,
MALAPPURAM DISTRICT.

**BY ADVS.SRI.C.M.MOHAMMED IQUABAL
SMT.T.J.SEEMA**

RESPONDENTS/STATE DEFACTO COMPLAINANT & A1:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.
2. ABDUL RASHEED,S/O.ASHRAF,AGED 15 YEARS,
VLIYAPARAMBATH HOUSE,KAKKADAMPURAM,
POST A.R.NAGAR,THIRURANGADI TALUK,
MALAPPURAM DISTRICT,PIN-676305.
(MINOR REPRESENTED BY HIS FATHER ASHRAF).
3. UMMER FAROOQUE,S/O.KOYA,AGED 34 YEARS,
PANANGADANTAKATH HOUSE,CHEMBRA,
POST TIRUR,MALAPPURAM DISTRICT,PIN 676101.

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX A1:THE TRUE COPY OF THE FIR DATED 15.10.2013 IN CRIME
NO.1052/2013 OF THIRURANGADI POLICE STATION.**

**ANNEX A2:THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.1052/2013
DATED 28.10.2013.**

**ANNEX A3:THE TRUE COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME
NO.1052/2013 DATED 20.10.2013.**

**ANNEX A4:THE TRUE COPY OF THE STATEMENT OF THE MOTHER OF THE
VICTIM IN CRIME NO.1052/2013 DATED 15.10.2013.**

**ANNEX A5:THE TRUE COPY OF THE STATEMENT OF THE DEFACTO
COMPLAINANT IN CRIME NO.1052/2013 DATED 15.10.2013.**

**ANNEX A6:THE TRUE COPY OF THE SEIZER MAHSAR IN CRIME NO.1052/2013
DATED 15.10.2013.**

**ANNEX A7:THE TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT OF
THE 2ND PETITIONER DATED 16.05.2013.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

CRL.M.C.No.2931 of 2015

Dated this the 29th day of May, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. The petitioners pray for quashing the proceedings in SC.No.147/2014 on the file of the Sessions Court, Manjeri. They are charged with having committed the offences under sections 420 and 506 of Indian Penal Code and Sections 25 and 26 of Juvenile Justice Act.

3. The ground is that the allegations are false and materials filed in support of the final report do not disclose commission of any offence.

4. Heard.

5. If the allegations are false or the materials relied on by the prosecution do not disclose commission of any offence, the proper remedy for the petitioners is to plea for discharge.

In the result, this Crl.M.C. is disposed of with a direction to the petitioners to approach the Sessions Court,

Manjeri with a plea for discharge.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge