

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937**

**Crl.MC.No. 2961 of 2015**  
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**C.C.NO.233/2010 OF CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR**  
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**PETITIONER(S)/ACCUSED :**  
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- 1. JUSTIN T.J., AGED 45 YEARS,  
S/O.LATE JOSE, THATTIL NADAKKALAN HOUSE,  
PARAVATTANI P.O., THRISSUR.**
- 2. JAQUILINE, AGED 40 YEARS,  
W/O.GEOFFY, NEELANKAVIL HOUSE, TIRUR P.O.,  
THRISSUR.**
- 3. GEOFFY, AGED 50 YEARS,  
NEELANKAVIL HOUSE, TIRUR P.O., THRISSUR.**

**BY ADVS.SRI.K.B.GANGESH  
SMT.SMITHA CHATHANARAMBATH**

**RESPONDENT(S)/STATE & DEFACTO COMPLAINANT :**  
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- 1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA.**
- 2. PRINCY, AGED 38 YEARS,  
D/O.LATE THOMAS, THARAYIL HOUSE, NEAR VYSA PEEDAM,  
CHITTILAPPALLY P.O., AMALA, THRISSUR - 680 005.**

**R1 BY PUBLIC PROSECUTOR SMT.R.REMA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**APPENDIX**

**PETITIONER(S)' ANNEXURES**

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**ANNEXURE A1: TRUE COPY OF THE COMPLAINT IN CMP NO.8831/2010  
PREFERRED BY THE DEFACTO COMPLAINT BEFORE CHIEF  
JUDICIAL MAGISTRATE COURT, THRISSUR.**

**ANNEXURE A2: TRUE COPY OF THE FIR IN CRIME NO.987/2010 OF  
THRISSUR EAST POLICE STATION.**

**ANNEXURE A3: TRUE COPY OF CHARGE SHEET DATED 30.11.2010  
SUBMITTED BY THRISSUR EAST POLICE IN  
CRIME NO.987/2010.**

**RESPONDENT(S)' ANNEXURES**

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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE**

Msd

**K. ABRAHAM MATHEW, J.**

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**Crl. M.C. No. 2961 of 2015**

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Dated this the 15<sup>th</sup> day of June, 2015

**ORDER**

Petition filed under section 482 Cr.P.C.

2. Petitioners are accused in C.C. No. 233 of 2010 on the file of the Judicial First Class Magistrate-Thrissur. The allegation is that the learned Magistrate did not comply with Section 202 Cr.P.C.

3. Heard.

4. Though, this was initially filed as a complaint case the learned Magistrate referred the complaint to the Police under Section 156(3) Cr.P.C. The police registered the case on the basis of the complaint forwarded to the S.H.O. After investigation, final report was filed and the court took cognizance of the offences under Sections 498A and 506 IPC. Once it was referred to the police under Section 156(3) Cr.P.C it ceased to be a complaint case. There is no question of complying with Section 202 Cr.P.C. There is no merit in the Crl.M.C.

In the result, this application is dismissed. Send back the records immediately.

Sd/-

**K. ABRAHAM MATHEW,  
JUDGE**

DST

//True copy//

P.A. To Judge