

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

Crl.MC.No. 2978 of 2015

CRIME NO. 549/2014 OF VENGARA POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

**V.SUKUMARAN, AGED 63 YEARS,
S/O.UNNAMAN, VALAYIL HOUSE, KARUTHEDATH
THOTTASSERY, KANNAMANGALAM WEST PO, TIRURANGADI TALUK,
MALAPPURAM.**

**BY ADVS.SRI.T.V.GEORGE
SRI.JIMMY GEORGE (THADATHIL)**

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. ABHIJITH (MINOR), AGED 12 YEARS,
REPRESENTED BY HIS FATHER AND GUARDIAN BABU,
PANNAKKAL HOUSE, KANNAMANGALAM WEST PO,
THOTTASSERRYARA, VENGARA, THIROORANGADI,
MALAPPURAM-676304.**

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 2978 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE AI: CERTIFIED COPY OF THE FIR IN CRIME NO.549/2014

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Crl.M.C. No.2978 of 2015

Dated this the 1st day of June 2015

O R D E R

Petition filed under Sec.482 Cr.P.C.

2. The petitioner is alleged to have committed the offences under Secs.377 of Indian Penal Code and Sec.3(1) of the protection of Children from Sexual Offences Act. The allegation is that he had intercourse against the order of nature with a boy aged 13 years. The ground on which the proceedings in the criminal case is sought to be quashed is that the allegation is false.

3. Heard both sides.

4. A perusal of the First Information Statement given by the victim boy leaves no room for doubt that if they are true the petitioner has committed the offences alleged against him. At this stage, I do not find any reason to hold that the allegations are false. The prayer cannot be granted.

In the result this Crl.M.C. is dismissed.

**K. ABRAHAM MATHEW
JUDGE**