

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Cri.MC.No. 1933 of 2014 ()

CRIME NO. 213/2013 OF RANNI POLICE STATION , PATHANAMTHITTA

PETITIONER(S)/COMPLAINANTS:

1. VIJAYAN M.V., AGED 60 YEARS
KAKANATTIL HOUSE, KURIANNOOR P.O., THIRUVALLA
PATHANAMTHITTA.
2. C.R.BABU, AGED 41 YEARS
S/O.RAGHAVAN ACHARI, CHARUVUKALAYIL HOUSE, VARAVOOR
ANGADI, RANNI, PATHANAMTHITTA.

BY ADV. SRI.N.N.SASI

RESPONDENT(S)/STATE AND ACCUSED:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-31.
2. DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM.
3. DISTRICT POLICE CHIEF
PATHANAMTHITTA.
4. DISTRICT POLICE CHIEF
PATHANAMTHITTA.
5. PRAMOD T.G.
S/O.GANGADHARAN, THEKKADIYIL HOUSE, CHELLAKADU P.O.
RANNI, PATHANAMTHITTA.
6. THE SUB INSPECTOR OF POLICE
RANNI, PATHANAMTHITTA.

R1 BY ADV. PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
03-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1: TRUE COPY OF THE FIR DT.24-2-2013 IN CRIME 213/13 OF RANNI
POLICE STATION.

ANNEXURE A2: TRUE COPY OF THE F I STATEMENT DT.24-2-2013.

ANNEXURE A3: TRUE COPY OF THE NEWSPAPER REPORT PUBLISHED IN MALAYALA
MANORAMA AND MATHRUBHUMI DAILIES DT.25-2-2013.

ANNEXURE A4: TRUE COPY OF THE LETTER DT.22-1-2014 FROM THE F.S.L.

ANNEXURE A5: TRUE COPY OF THE REPRESENTATIONS DT.30-1-2014 TO THE
D.G.P. TRIVANDRUM.

ANNEXURE A6: TRUE COPY OF ACKNOWLEDGMENT DT.16-2-2014 OF ANNEXURE A5
REPRESENTATION.

ANNEXURE A7: TRUE COPY OF THE REPRESENTATION DT.30-1-2014 SENT TO THE
DISTRICT POLICE CHIEF, PATHANAMTHITTA.

ANNEXURE A8: TRUE COPY OF ACKNOWLEDGMENT DT.10-2-2014 OF ANNEXURE A7
REPRESENTATION.

ANNEXURE A9: TRUE COPY OF THE REPRESENTATION DT. 16-8-2013 TO THE CIRCLE
INSPECTOR OF POLICE, RANNI.

RESPONDENT(S)' EXHIBITS : NIL

// True Copy //

PA to Judge

B. KEMAL PASHA, J.

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Crl.M.C. No.1933 of 2014
.....

Dated this the 3rd day of September, 2015

ORDER

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The complaint of the petitioners is that they are deeply aggrieved by the inaction of the police in conducting a proper investigation in Crime No.213/2013 of Ranni Police Station. The 1<sup>st</sup> petitioner is the de facto complainant, whose furniture shop situated in Vijaya Building near Ranni, was gutted on 23.02.2013 at 9.30 p.m.

2. The investigating officer has reported that the material objects collected from the spot were sent to the FSL through the Judicial First Class Magistrate's Court, Ranni and a report has been received from the FSL, which shows that the said material objects did not reveal the presence of kerosene, diesel, petrol or any inflammable oils. The investigating officer has further reported that still the investigating officer has not formed an opinion with regard to

the incident and an investigation is going on.

3. It seems that there was inordinate delay from the part of the investigating officer in sending the material objects to the court below for forwarding it to the FSL. Therefore, the apprehension forwarded by the petitioners cannot be said to be unreasonable. Matters being so, this Court is of the view that the investigation should be continued by the Inspector of Police, under the strict supervision of the Deputy Superintendent of Police, Pathanamthitta.

In the result, this Crl.M.C. is allowed. The investigation shall be continued and completed expeditiously by the Inspector of Police, under the strict supervision of the Deputy Superintendent of Police, Pathanamthitta.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/03/09

*// True Copy //*

*PA to Judge*