

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

Crl.MC.No. 3475 of 2015 ()

CC 3/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVARA

PETITIONER :

**GOPALA KRISHNAN, AGED 74 YEARS,
S/O.NARAYANA PANICKER, AMBIKA BHAVAN,
KULANGARA BHAGOM, CHAVARA VILLAGE, KOLLAM.**

**BY ADVS.SRI.SHABU SREEDHARAN
SRI.S.VIJAYAN
SRI.K.P.UNNIKRISHNAN (ELOOR)
SRI.V.N.MOHAN RAJ
SMT.RESHMA ABDUL RASHEED**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. VIJAYA KUMARI
D/O.PADMAVATHY, IDAYILA VEEDU, CHAVARA P.O.,
KOLLAM 691 583.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 3475 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE 1: COPY OF THE FIR WITH THE FIS DATED 2.11.14. IN CRIME
NO. 2580/2014**

ANNEXURE 2: COPY OF THE STATEMENT DATED 3.11.14.

ANNEXURE 3: COPY OF THE CHARGE SHEET DATED 20.11.14.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3475 of 2015

Dated this the 11th day of June 2015

ORDER

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

2. Petitioner is the accused in C.C. No.3 of 2015 of the Judicial First Class Magistrate Court-I, Chavara. He is charged with having committed the offences under Secs.294(b) of Indian Penal Code and Sec.119(1)(a) of Kerala Police Act. The prayer is to quash the proceedings on the ground that the allegations are false.

3. Heard.

4. It is for the trial court to decide whether the allegations are false or not. The High Court cannot decide it in a proceedings under Sec.482 Cr.P.C. The learned Magistrate may ascertain whether the facts attract the offences mentioned in the report.

This Crl.M.C. is dismissed with the above observations.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A To Judge