

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Crl.MC.No. 3495 of 2015 ()

**CC.NO.4134/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,KASARAGOD
CRIME NO. 147/2009 OF BADIADKA POLICE STATION , KASARAGOD DISTRICT**

PETITIONER(S)/ACCUSED 2 & 3 :

- 1. M.C.MAJEED, AGED 41 YEARS,
S/O.LATE MOOSA, R/AT CHARALADUKKA,
NEKRAJE VILLAGE, KASARAGOD DISTRICT.**
- 2. K.P.BASHEER, AGED 29 YEARS,
S/O.ABDUL RAHIMAN, R/AT KAPPIL KADAPPURAM,
PALAKKUNNU, UDUMA VILLAGE, KASARAGOD DISTRICT.**

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER BADIADKA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 3495 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX-I. TRUE COPY OF FINAL REPORT IN CRIME NO.147/2009 DATED 25/8/2009
BY THE BADIADKA POLICE STATION.**

**ANNEX-II. TRUE COPY OF JUDGMENT IN CC.NO. 789/2009 BY THE JUDICIAL
FIRST CLASS MAGISTRATE COURT, KASARAGOD.**

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

CRL.M.C.No.3495 of 2014

Dated this the 23rd day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. Petitioners were accused 2 and 3 in CC.No.789/2009. After taking bail they absconded. The case against them was split up and the case against the co-accused was proceeded with. The trial of the co-accused ended into acquittal. The case against the petitioners was refiled as CC.No.4134/2014. Now they have come up before this court with a request to quash the proceedings against them on the ground of acquittal of the co-accused. They must first surrender before the court concerned. It is not in public interest to entertain their application for quashing the proceedings.

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

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge