

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

Crl.MC.No. 3832 of 2015 ()

CRIME NO. 609/2015 OF PONNANI POLICE STATION , MALAPPURAM DISTRICT

PETITIONER:

**JESSY V.T, AGED 59 YEARS, D/O.JOHN, PRINCIPAL
VIJAYAMATHA ENGLISH MEDIUM HIGHER SECONDARY SCHOOL
PONNANI, MALAPPURAM.**

**BY ADVS.SRI.C.KHALID
SRI.T.V.MAMMOOTTY
SRI.N.A.JOSEPH
SRI.K.P.MOHAMED SHAFI
SMT.K.S.HASEENA
SRI.PHIJO PRADEESH PHILIP
SMT.K.REEHA KHADER
SMT.K.K.NESNA**

RESPONDENTS:

**1. ADARSH T.K.(MINOR), AGED 17 YEARS
S/O.SURENDRAN, THENGATH KALATHIL, PONNANI
MALAPPURAM DISTRICT-679577. REPRESENTED BY FATHER
SURENDRAN, THENGHA KALATHIL, PONNANI
MALAPPURAM DISTRICT-679577.**

**2. SUB INSPECTOR OF POLICE
PONNANI POLICE STATION
PONNANI, MALAPPURAM DISTRICT
THROUGH STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, COCHIN-31.**

**R1 BY ADV. SRI.K.R.AVINASH (KUNNATH)
R1 BY ADV. SRI.ABDUL RAOOF PALLIPATH
R 2 BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 11-09-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

**ANNEXURE-1 THE COPY OF THE ORDER IN CRMP 1023/2010 LA 2/2015 KESCPCR
PASSED BY THE KERALA STATE COMMISSION FOR PROTECTION OF
CHILD RIGHTS ON 10/03/2015**

**ANNEXURE-2 THE COPY OF THE COMMUNICATION LETTER SENT BY THE
PETITIONER TO FATHER OF RESPONDENT NO.1**

ANNEXURE-3 THE COPY OF THE ADMISSION TICKET

**ANNEXURE-4 THE COPY OF THE REQUEST LETTER ISSUED BY SUB INSPECTOR OF
POLICE,PONNANI DATED 10/3/2015**

**ANNEXURE-5 THE COPY OF THE STATEMENT BEFORE COMMISSION FOR
PROTECTION OF CHILD RIGHT TRIVANDRUM IN CRMP NO.1023/2010
LA 2/2015KESCPCR ON 28/5/2015**

**ANNEXURE-6 THE COPY OF THE FIR IN CRIME NO.609/2015 REGISTERED BY
PONNANI POLICE STATION MALAPPURAM ON 18/05/2015**

**ANNEXURE-7 THE COPY OF THE LETTER SENT BY SMT.KAVITHA SANKAR MEMBER
OF CHILD WELFARE COMMITTEE,MALAPPURAM DATED 10/3/2015**

**ANNEXURE-8 THE COPY OF THE COMPLAINT FILED BY THE RESPONDENT NO.1
BEFORE JUVENILE JUSTICE BOARD DATED ON 20.05.2015**

RESPONDENTS' EXHIBITS

NIL

TRUE COPY

P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C. No.3832 of 2015

Dated this the 11th day of September, 2015

O R D E R

A baseless prosecution under Section 23 of the Juvenile Justice (Care and Protection of Children) Act is sought to be quashed. It is not known how expulsion of a student from school for proper reasons including involvement in a case under The Narcotic Drugs and Psychotropic Substances Act (NDPS Act) will come under Section 23 of the Juvenile Justice Act. Any way, there is police report that on investigation the police found that the complaint is false, and that steps are being taken to submit final report referring the crime. The learned Public Prosecutor now submits that the police will not proceed in the matter, and that the crime stands referred. The said report, and the submission made by the learned Public Prosecutor are recorded, and this Crl.M.C. is closed.

Sd/-

P. UBAID, JUDGE

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