IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Crl.MC.No. 3884 of 2015 ()

CRIME NO. 67/2013 OF NATTUKAL POLICE STATION,PALAKKAD DISTRICT

PETITIONER/ACCUSED:

LATHEEF, AGED 41 YEARS,
S/O. KUNJIKOYA, PULIKKAL HOUSE, KATTUKULAM,
ATHANIPPADY, ALANALLOOR P.O., PALAKKAD.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS/COMPLAINANT, STATE & DE-FACOT COMPLAINANTS:

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1. THE STATION HOUSE OFFICER,
NATTUKAL POLICE STATION, PALAKKAD DISTRICT,
REPRESETNED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682 031, .

3. SAROJINI, W/O. BABU,AGED 40 YEARS,
PAMBOTTIL HOUSE, VATTAMANNAPURAM,
EDATHANATTUKARA, PALAKKAD DISTRICT-678 601.

4. SUNITHA, D/O. BABU,AGED 24 YEARS,
PAMBOTTIL HOUSE, VATTAMANNAPURAM,
EDATHANATTUKARA, PALAKKAD DISTRICT-678 601.

R1 & R2 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
R3 & R4 BY ADV. SMT.MARY RANZOM LOUIZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Crl.MC.No. 3884 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A1- THE CERTIFIED COPY OF THE FIR NO. 67/2013 OF NATTUKAL POLICE STATION, PALAKKAD DISTRICT, DT. 5-2-2013.

ANNEX A2- THE CERTIFIED COPY OF THE PETITION FILED BY THE DEPUTY SUPERINTENDENT OF POLICE, SHORANUR FOR TAKING BLOOD SAMPLES OF THE PETITIONER DNA TEST DT. 11-11-14.

ANNEX A3- THE AFFIDAVIT FILED BY THE 3RD RESPONDENT.

ANNEX A4- THE AFFIDAVIT FILED BY THE 4TH RESPONDENT.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

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CRL.M.C.No.3884 of 2015

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Dated this the 25th day of June, 2015

O R D E R

Petition filed under Section 482 Cr.P.C.

2. Petitioner is charged with having committed the offences under Sections 174, Section 376 of Indian Penal Code and Section 3(2) (v) of SC/ST (POA) Act.

3.The prayer is to quash the proceedings in the criminal case on the ground that the petitioner has not committed the offences and the allegations against him are false.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. In the petition it is stated that there is no evidence to prove the prosecution allegation against the petitioner. If the materials relied on the prosecution in support of the final report do not disclose the commission of any offence by the petitioner, the proper remedy for him is to plead for discharge. The proceedings cannot be quashed.

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

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge