

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Cr1.MC.No. 3560 of 2014 ()

C.C No. 1700/2013 of J.M.F.C.-II, HOSDURG

CRIME NO. 536/2014 OF NILESHWAR POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED NO.1:

R.RAMESHAN, AGED 39 YEARS
S/O. BHANUMATHI, RESIDING AT AYODHYA HOUSE
KIZHAKKEN KOZHUVAL, NILESHWAR, KASARAGOD DISTRICT

BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI

RESPONDENT(S)/STATE:

1. THE STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER
NILESHWAR POLICE STATION, KASARAGOD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682031.

2. RAMAKRISHNAN T., AGED 46 YEARS
S/O. DAYANAN, RESIDING AT K.P. NARAYANAN QUARTERS
NEAR DINESH BEEDI COMPANY, CHAYYOM, CHAYYOTH P.O.
NILESHWAR VIA, KASARAGOD DISTRICT - 671 314.

R2 BY ADVS. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA

R1 BY PUBLIC PROSECUTOR SMT.SAREENA.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
06-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 3560 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

A1 : COPY OF THE COMPLAINT IN C.C.NO.1700/2013 ON THE FILE
OF THE LEARNED JUDICIAL FIRST CLASS MAGISTRATE'S
COURT-II, HOSDURG.

A2 : COPY OF THE COMPLAINT DATED -6-2014 FILED BY THE 2ND
RESPONDENT BEFORE THE 1ST RESPONDENT.

A3 : COPY OF THE FIR IN CRIME NO.536/2014 OF NILESHWAR
POLICE STATION.

RESPONDENTS' ANNEXURES : NIL

//TRUE COPY//

P.A TO JUDGE

STU

B.KEMAL PASHA, J.

=====

Crl.M.C. No. 3560 of 2014

=====

Dated this the 6th day of November, 2015

ORDER

The petitioner is the accused in Crime No.536/2014 of the Neeleswaram Police Station, Kasargod District, registered for the offence under Section 17 of the Kerala Money Lenders Act, 1958. According to the petitioner, the de facto complainant had issued a cheque for ₹54,000/- to the petitioner herein in discharge of his liability to pay the said amount. On presentation, the said cheque returned and dishonoured and consequently, proceedings were initiated by the petitioner against the 2nd respondent herein for the offence under Section 138 of the Negotiable Instruments Act. It was at that juncture, the present crime has been registered against the petitioner.

2. It has been reported by the Investigating Officer that two cases are pending against the petitioner before the Judicial First Class Magistrate's Court, Hosdurg. One case is relating to Crime No.519/2012 for the offences under Sections 13, 17, 18(A) and 6(A) of the Kerala Money Lenders Act, which is pending as C.C.No.18/2013 before the Judicial First Class Magistrate's Court-II, Hosdurg. It has been reported that the petitioner is involved in illegal money lending and that is the reason why the said cases have been registered against the petitioner.

3. Presently, what is under challenge is the investigation in Crime No.538/2014 of the Neeleswaram Police Station. Let the investigation continue in the matter. The present stage is too premature to say anything on merits in the matter. This Court at this stage cannot estimate as to whether the allegations against the petitioner are correct or not.

With liberty to the petitioner to challenge the proceedings in case of any further grievance on getting the final report in the mater, this Crl.M.C is disposed of.

Sd/-
B.KEMAL PASHA, JUDGE

stu