

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

Cr1.MC.No. 4247 of 2014

CRIME NO. 564/2013 OF KOIPURAM POLICE STATION , PATHANAMTHITTA

PETITIONERS/ACCUSED 1 & 2:

1. THOMAS K IYPE,
KALAPPURAYIL HOUSE, NIRANAM VILLAGE & P O,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.
2. VALSALA GEORGE.P, AGED 53 YEARS,
W/O.THOMAS K IPPU, KALAPPURAYIL HOUSE,
NIRANAM VILLAGE & P O, THIRUVALLA TALUK,
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.SURESH KUMAR KODOTH
SRI.K.P.ANTONY BINU

RESPONDENTS/COMPLAINANT & STATE:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. GEORGE JOSEPH.P, AGED 57 YEARS,
S/O.LATE P.C.GEORGE, PADIYICKAL MIDHUN VILLA,
PULLAD P.O., KOIPURAM VILLAGE, THIRUVALLA TALUK,
PATHANAMTHITTA DISRICT.

R2 BY ADV. M/S.VARGHESE & JACOB
R2 BY ADV. SRI.VIVEK VARGHESE P.J.
R2 BY ADV. SRI.VARUGHESE M EASO
R1 BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 4247 of 2014

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE-1: COPY OF CMP 2155/13 IN CRIME NO.564/13.

ANNEXURE-2: COPY OF FIR IN CRIME NO.564/13.

ANNEXURE-3: COPY OF COMMON ORDER IN CRL.M.P.2209/2013, 2207/2013
AND 2296/2013 DT.26.6.2013.

ANNEXURE-4: COPY OF THE PARTNERSHIP DEED DATED 28/1/2010.

ANNEXURE-5: COPY OF THE ACKNOWLEDGMENT OF REGISTRATION OF FIRM.

ANNEXURE-6: COPY OF THE AGREEMENT DATED 11/2/2010.

ANNEXURE-7: COPY OF THE COMPLAINT DATED 4/6/2013.

RESPONDENTS' ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.4247 of 2014

Dated this the 10th day of March, 2015

O R D E R

The petitioners herein are husband and wife. They are accused in Crime No.564/2013 of the Koippuram Police Station, registered under Section 379 of the Indian Penal Code. They seek orders quashing the FIR and further proceeding in the crime on the ground that the dispute is essentially one of civil nature and the complainant will have to seek appropriate civil remedies. Now there is a report by the police that further action including investigation in Crime No.564/2013 stands dropped on the finding that the transaction alleged in the complaint is purely civil in nature, and that it does not have any criminal consequences. In view of the said report dated 13.2.2015 filed by the police in the connected Crl.M.C No.3122/2013, this proceeding can be closed. Now there is nothing to be quashed.

In the result, the police report is recorded that the further action in the crime stands dropped, and accordingly this Criminal Miscellaneous Case is closed.

**P.UBAID
JUDGE**

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