

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Crl.MC.No. 5878 of 2015

CRIME NO. 414/2015 OF KOTTAKKAL POLICE STATION, MALAPPURAM

PETITIONER(S)/ACCUSED:

**GEORGE MATHEW, AGED 41 YEARS,
S/O.MATHEW, NADUVATHE HOUSE, KUMARANALLUR KARA,
ALLAYIL DESOM, KOMBARA P.O., KOZHIKODE DISTRICT.**

**BY ADVS.SRI.P.V.ANILKUMAR
SRI.E.D.GEORGE**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE,
KOTTAKKAL POLICE STATION, MALAPPURAM -676 503.**
- 3. ASHRAF KANNATTI, AGED 38 YEARS,
S/O.HASSAN, KANNATTI HOUSE, MATTATHOOR P.O.,
NETICHADI, KOTTAKKAL, MALAPPURAM -676 528.**

**R1 & 2 BY PUBLIC PROSECUTOR SMT.SAREENA
R3 BY ADV. SRI.O.V.MANIPRASAD**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-A1: TRUE COPY OF THE F.I.R IN CRIME NO.720/2014, UNDER SECTION 406
AND 468 OF IPC REGISTERED BY THE MUKKOM POLICE STATION.**

**ANNEXURE-A2: TRUE COPY OF COMPLAINT FILED BY THE 3RD RESPONDENT
BEFORE THE HONOURABLE STATE POLICE CHIEF,
THIRUVANANTHAPURAM.**

**ANNEXURE-A3: CERTIFIED COPY OF THE F.I.R NO.414/2015 OF KOTTAKKAL POLICE
STATION.**

**ANNEXURE-A4: TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER'S
FATHER BEFORE THE DISTRICT POLICE CHIEF, KOZHIKODE.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.5878 of 2015 G
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Dated this the 8th day of October, 2015

ORDER

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Petitioner is the accused in Crime No.414/2015 of Kottakkal Police Station registered for the offences punishable under Sections 323, 342, 348, 406, 417, 420, 385 and 506(i) IPC. It seems that serious allegations are levelled against the petitioner by the de facto complainant, who is the 3rd respondent herein. The 3rd respondent had earlier approached this Court through W.P.(C) No.24806/2014 and this Court has ordered appropriate action on Annexure-A2 complaint, which was preferred by the 3rd respondent herein.

2. The petitioner was the 5th respondent in the aforesaid writ petition.

3. The present case of the petitioner is that he has been falsely implicated in a case like this and crime has

been registered just as a retaliation as against Annexure-A1 FIR in Crime No.720/2014 of the Mukkom Police Station. It is hard to believe the said contention because of the fact that Annexure-A2 is dated 21.07.2014, whereas Annexure-A1 Crime was registered on 09.12.2014. Whatever it is, the present contentions are concerning the merits of the matter. When serious allegations are levelled against the petitioner and when an investigation is going on, it is too premature to consider the merits or otherwise of the contentions resorted to by the petitioner, at present.

With liberty to the petitioner to approach this Court or appropriate forum at appropriate stage, this Crl.M.C. is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/08/10

// True Copy //

PA to Judge