

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Crl.MC.No. 4713 of 2014 ()

CRIME NO. 426/2011 OF ADOOR POLICE STATION , PATHANAMTHITTA

PETITIONER(S)/ACCUSED:

1. SHAHULHAMEED AGED 65 YEARS
S/O.ABDULRAHMAN, SUDHEER MANZIL, ADOOR P.O.
KANNAMKODE ADOOR, PATHANAMTHITTA DISTRICT.
2. SHIHABUDEEN AGED 55 YEARS
S/O.MOHAMMAD SAHIB, PALAVILAYIL SHIJU MANZIL
KANNAMKODE, ADOOR P.O., PATHANAMTHITTA DISTRICT.
3. ASHARAF AGED 50 YEARS
S/O.MOHAMMAD SAHIB, PALAVILAYIL SHIJU MANZIL
KANNAMKODE, ADOOR P.O., PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.SHAJAHAN (ADOOR)

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

1. STATE OF KERALA
(REP. BY THE SUB INSPECTOR OF POLICE
ADOOR POLICE STATION
PATHANAMTHITTA DISTRICT - CR. 426/2011 OF ADOOR POLICE
STATION)REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
2. NOUSHAD, AGED 42 YEARS
S/O.KHADERMEERAN, THANDALATHAYATHU, KANNAMKODE ADOOR
ADOOR VILLAGE, ADOOR P.O., ADOOR TALUK
PATHANAMTHITTA DISTRICT - 691 523.

R2 BY ADV. SRI.A.S.DHEERAJ
R1 BY PUBLIC PROSECUTOR SMT.P.MAYA

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

Crl.MC.No. 4713 of 2014 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1 - CERTIFIED COPY OF THE FIR IN CR. NO. 426/11 DT. 25/6/11 OF
ADOOR POLICE STATION, ON THE FILE OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT, ADOOR.

ANNEXURE A2 - AFFIDAVIT OF DEFACTO COMPLAINANT.

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.S TO JUDGE

P.UBAID, J.
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**Crl.M.C No.4713 of 2014**  
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Dated this the 3rd March 2015

O R D E R

The petitioners herein seek orders quashing the F.I.R and further proceedings in Crime No.426 of 2011 of the Adoor Police Station. Now there is a report from the trial court that the Police has submitted final report in the crime. The learned Magistrate has taken cognizance under Sections 341, 452 and 324 of Indian Penal Code on the final report, and the case is now pending as C.C No.887 of 2011. The report shows that the final report was submitted by the Police on 15.09.2011. But this Crl.M.C was brought in August, 2014. Anyway, in the present circumstance where there is final report and the case is pending as C.C 887 of 2011 before the Judicial First Class Magistrate's Court, Adoor, the petitioner will have to seek appropriate prayer as regards the final report. Without prejudice to such right, this Crl.M.C to quash the F.I.R is closed.

**P.UBAID
JUDGE**

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