

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Crl.MC.No. 6068 of 2015 ()

CC 52/2015 of JUDICIAL FIRST CLASS MAGISTRAE COURT-II, HOSDRUG

PETITIONER/ACCUSED NO.2 :

**BIJESH M., AGED 35 YEAR, S/O. K.C. RAMAKRISHNAN,
USHAS, KADAMBUR VILLGE, KANNUR DISTRICT**

**BY ADVS.SRI.M.RAMESH CHANDER (SR.)
SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 682031. REPRESENTING
SUB INSPECTOR OF POLICE, BEKAL POLICE STATION,
KASARGOD**

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 6068 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE A1: COPY OF FIRST INFORMATION REPORT IN CRIME NO. 182/2012 OF BEKAL POLICE STATION, KASARAGOD.

ANNEXURE A2: COPY OF FINAL REPORT IN CRIME NO. 182/2012 OF BEKAL POLICE STATION, KASARAGOD.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B. KEMAL PASHA, J.

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CRL.M.C. No.6068 of 2015
.....

Dated this the 3rd day of November, 2015

ORDER

Petitioner is the 2nd accused in C.C.No.52/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.182/2012 of the Bakel Police Station, Kasaragod, registered for the offences punishable under Sections 468, 471 and 420 IPC.

2. According to the petitioner, he was entrusted to conduct an interview and thereby he conducted an interview. The first accused was a participant in the interview and he was interviewed. The allegation against the petitioner is that the first accused has falsely made use of some fabricated documents as genuine, at the instance and instigation of the petitioner, who is the 2nd accused.

3. The learned Public Prosecutor has submitted that the investigating officer has collected evidence to show that those documents were forged and made use of as genuine at the instance and instigation of the petitioner. At this stage, this Court cannot weigh the intrinsic particulars of evidence collected by the investigating officer. At the same time, the petitioner can bring those aspects to the notice of the court below at the stage of Section 239 Cr.P.C. With that liberty to the petitioner, this Crl.M.C. is closed. It is made clear that the court below shall not insist the personal appearance of the petitioner till the stage of Section 239 Cr.P.C.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge