

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Crl.MC.No. 5195 of 2013 ()

AGAINST THE COMMON ORDER IN CRL.M.C.NOS.2164/2013 & 2166/2013 OF
SESSIONS COURT,THRISSUR DATED 24-10-2013

CRIME NO. 2379/2013 OF THRISSUR TOWN EAST POLICE STATION

PETITIONER(S)/ACCUSED NOS.1 & 3:

- 1. DEFENDER REAL ESTATE AND BUILDERS LIMITED**
THRISSUR VILLAGE, THRISSUR TALUK
REPRESENTED BY ITS CHAIRMAN, JOHNY KOTTOOR
AGED 71 YEARS S/O.MATHAI VARKEY, KOTTOOR HOUSE,
UDAYAMPERUR
ERNAKULAM.
- 2. JOHNY KOTTOOR AGED 71 YEARS**
S/O.MATHAI VARKEY, KOTTOOR HOUSE, UDAYAMPERUR
ERNAKULAM.

BY ADV. SRI.K.B.GANGESH

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

- 1. THE STATE OF KERALA**
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
- 2. VIJAYAN, AGED 62 YEARS**
S/O.APPUKUTTAN, PUZHANKARA ARAKULATHIL HOUSE
CHALAKKAL VILLAGE, PARAPPUR DESOM, THRISSUR TALUK
THRISSUR-680001.

R2 BY ADV. SRI.K.S.BHARATHAN

R1 BY ADV.SMT.V.H.JASMINE, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
20-03-2015, ALONG WITH CRMC. 5206/2013, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

**ANNEXURE-A1- TRUE COPY OF THE CMP NO.7871/2013 FILED BY THE DEFACTO
COMPLAINANT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR.**

**ANNEXURE-A2- TRUE COPY OF THE FIR IN CRIME NO.2379/2013 OF TRICHUR
TOWN EAST POLICE STATION.**

**ANNEXURE-A3- TRUE COPY OF THE ORDER PASSED BY SESSIONS COURT,
THRISSUR IN CRL.M.C.NO.2164/2013.**

RESPONDENT'S EXHIBITS:-

NIL

R.AV

//TRUE COPY//

PATO JUDGE

K.RAMAKRISHNAN, J

CRL.M.C.NOs.5195 OF 2013 & 5206 OF 2013

Dated this the 20th day of March, 2015

O R D E R

Crl.M.C.No.5195/2013 was filed by the accused Nos.1 and 3, while Crl.M.C.No.5206/2013 was filed by the second accused in Crime No.2379/2013 of Thrissur town police station for quashing the First Information Report under section 482 of the Code of Criminal Procedure.

2. When the application came up for hearing today, the learned public prosecutor submitted that investigation in this case is over, and final report has been filed and the case was taken on file as CC.No.831/2014 on the file of Chief Judicial Magistrate Court, Thrissur. Since final report has already been filed, the prayer in the petition has become infructuous. The petitioners is at liberty to move the court below either for discharge or he can even challenge the final report if he is so advised by filing a separate petition.

With the above liberty, the petitions are disposed of accordingly.

Sd/-
K.RAMAKRISHNAN, JUDGE

R.AV

//TRUE COPY//

PATO JUDGE