

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

Cri.MC.No. 5774 of 2013 ()

AGAINST THE ORDER/JUDGMENT IN CRMP 1731/2013 of J.M.F.C.-I, ALUVA DATED 28-09-2013

CRIME NO. 1908/2013 OF ALUVA POLICE STATION , ERNAKULAM

PETITIONER(S)/DEFACTO COMPLAINANT:

**RAVINDRAN C.G.
S/O.GOPALAN, C/O.AJITH KUMAR, SOPANAM,
KEEZHMADU.**

BY ADV. SRI.REGHUNANDANA MENON

RESPONDENT/ACCUSED:

- 1. STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
ALUVA EAST POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, 682 031.**
- 2. KORA VARGHESE,
S/O.VARGHESE, EDAN GARDEN, PUTHENPARAMBIL,
CANAL ROAD, COCHIN BANK, ALUVA,
683 101.**

**R2 BY ADVS. SRI.JAISON JOSEPH
SRI.P.N.SUKUMARAN**

R1 BY SMT.S.HYMA, PUBLIC PROSECUTOR

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 06-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

DG

Crl.MC.No. 5774 of 2013 ()

APPENDIX

PETITIONER(S)' EXHIBITS:

ANNEXURE-A: COPY OF CLAIM PETITION.

ANNEXURE-B: TRUE COPY OF THE REPORT FILED BY THE POLICE.

ANNEXURE-C: TRUE COPY OF THE INVENTORY PREPARED BY THE POLICE.

**ANNEXURE-D: TRUE COPY OF THE DISMISSAL ORDER IN MP NO.1731(A)/13 OF JFCM
I, ALUVA DATED 28.09.2013.**

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A TO JUDGE

P. UBAID, J.

Crl.M.C.No.5774 of 2013

Dated this the 6th day of February, 2015

O R D E R

What is under challenge is an order passed by the trial court under Section 451 Cr.P.C. The police reported in court that the police has not seized any such property. During the proceedings it was submitted that the properties are in the safe custody of the 2nd respondent. Complaint made by the petitioner stands referred. Thus, admittedly, there is no criminal proceeding now. Any way, now the learned counsel for the 2nd respondent has submitted a memo that the 2nd respondent has handed over some properties to the petitioner. The items handed over are described in the schedule attached to the memo. Now, the learned counsel for the petitioner submits, that for the time being, the Crl.M.C. can be closed without prejudice to the right of the petitioner to seek other appropriate remedies, if possible. Accordingly, the memo submitted by the 2nd respondent with the schedule of movables handed over by the 2nd respondent is

accepted.

The memo with schedule is recorded, and the Crl.M.C. is closed without prejudice to the right of the petitioner to seek other appropriate relief, if possible under the law.

Sd/-

P. UBAID, JUDGE

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