

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Crl.MC.No. 6962 of 2015 ()

CRIME NO. 19/2006 OF VADAKKEKARA POLICE STATION, ERNAKULAM DISTRICT

PETITIONER/ACCUSED:

**SEJOY, AGED 40 YEARS,
S/O.K.R.ASOKAN, KURUPPASSERIL, PATTANAM.P.O.,
VADAKKEKARA, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE/INFORMANT/INJURED:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682 031,
(CRIME NO.19/2006 OF VADAKKEKARA POLICE STATION,
ERNAKULAM DISTRICT)**
- 2. M.C.SANAL KUMAR, AGED 56 YEARS,
S/O.CHELLAPPA KURUP, SIVASRINGAM HOUSE, KAITHARAM,
KOTTUVALLY, ERNAKULAM.PIN-683 519.**
- 3. P.P.VENUGOPAL, AGED 49 YEARS,S/O.RAMAN MENON,
PATTANATHUKATTIL VEEDU, PATTANAM,
VADAKKEKARA, ERNAKULAM.PIN-683 522.**
- 4. P.KANTHIMATHI @ MADHU, AGED 43 YEARS,
S/O.POOLAN PILLA, KUNNATHU VEEDU, KACHERIPPADY,
N.PARUR, ERNAKULAM. PIN-683 513.**

**R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE
R2 TO R4 BY ADV. SRI.VINOD KUMAR.C**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 6962 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX I- NOTARISED AFFIDAVIT DATED 27.10.2015 SUBMITTED BY
RESPONDENT NO.2.**
- ANNEX II- NOTARISED AFFIDAVIT DATED 27.10.2015 SUBMITTED BY
RESPONDENT NO.3.**
- ANNEX III- NOTARISED AFFIDAVIT DATED 27.10.2015 SUBMITTED BY
RESPONDENT NO.4.**
- ANNEX IV- CERTIFIED COPY OF THE FIRST INFORMATION REPORT IN CRIME
NO.19/2006 OF VADAKKEKARA POLICE STATION.**

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

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Crl.M.C. No.6962 of 2015
.....

Dated this the 4th day of November, 2015

O R D E R

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Petitioner is the 8th accused in Crime No.19/2006 of Vadakkekara Police Station alleging offences punishable under Sections 143, 147, 148, 341, 324, 308 and 506(ii) read with Section 149 IPC.

2. According to the petitioner, he was not involved in the crime and unnecessarily, he has been implicated along with other accused in the case. His name was not there in the FIR. He was implicated subsequently. According to the petitioner, he was running pillar to post for getting absolved from the unnecessary proceedings in which he has been implicated.

3. The petitioner has approached the de facto

complainant and the other injured persons in the crime. They have filed Annexures-I to III affidavits affirming that the petitioner was not a party to the incident and the petitioner was not present in the incident. According to them, they have no complaints or grievance against the petitioner.

4. According to the petitioner, he has got a Visa for joining a job abroad and he is unable to procure the said employment only because of the continuance of the present crime against him.

5. Learned Public Prosecutor submits that the final report will be filed in the matter within a week. Prior to that, the investigating officer shall take note of the contents of Annexures-I to III affidavits by the de facto complainant and the other injured persons affirming that the petitioner had not participated in the incident. The investigating officer shall take note of that fact also and complete the investigation within two weeks from today and file the final report before the court below within 15 days from today. In

case the participation of the petitioner in the incident is not coming to light, it is open to the investigating officer to file a report before the court below, thereby deleting the name of the petitioner from the array of the accused.

CrI.M.C. is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/04/11

// True Copy //

PA to Judge