

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Crl.MC.No. 6063 of 2013

MC 56/2013 OF SUB DIVISIONAL MAGISTRATE, CHENGANNUR, ALAPPUZHA

PETITIONER(S)/ACCUSED NO.1:

**BIJU HANOCK,
S/O.HANOCK, MALIYEKKAL, PANDANADU SOUTH,
PANDANAD VILLAGE.**

**BY ADVS.SRI.B.S.SWATHY KUMAR
SRI.REMYA MURALI
SRI.ASHISH MOHAN**

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. THE SUB DIVISIONAL MAGISTRATE,
CHENGANNUR, ALAPPUZHA, PIN 689821.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN 682031.**

BY PUBLIC PROSECUTOR SMT.MAYA

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 16-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 6063 of 2013

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-A: TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE
THE DIRECTOR GENERAL OF POLICE, THIRUVANANTHAPURAM
DATED 26.11.2009.**

ANNEXURE-B: TRUE COPY OF THE POSTAL RECEIPT DATED 26.11.2009.

**ANNEXURE-C: TRUE COPY OF THE ORDER IN M.C.NO.56/2013 DATED 21.11.2013 OF
THE 1ST RESPONDENT.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 6063 of 2013

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Dated this the 16th day of December, 2015

ORDER

The proceedings against the petitioner under Section 107 of the Code of Criminal Procedure through M.C.No.56/2013 by the learned Sub Divisional Magistrate, Chengannur, through Annexure-C order are under challenge.

2. The crime in question was registered against the petitioner as Crime No.1981/2013 under Section 107 Cr.P.C by the Chengannur Police. According to the learned Sub Divisional Magistrate, credible information has been received that the petitioner is involved in Crime Nos.233/2008, 787/2009, 795/2009, 815/2009, 95/2010 and 274/2013 of the Chengannur Police Station. Further, a complaint has been made against the petitioner by B.Y. George that the petitioner was

frequently taking away sand from his property, whereby making his life so miserable. The said B.Y George had to approach this Court seeking Police protection against the activities of the petitioner.

3. It seems that the learned Sub Divisional Magistrate has received credible information that there is every likelihood of the petitioner to cause the breach of peace in the locality and that there is every likelihood of his committing offences against public tranquility. Matters being so, there is absolutely nothing to interfere with Annexure-C order passed by the learned Sub Divisional Magistrate. This Crl.M.C is devoid of merits and is only to be dismissed and I do so.

In the result, this Crl.M.C is dismissed.

Sd/-
B.KEMAL PASHA, JUDGE