

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Crl.MC.No. 5933 of 2014

CRIME NO. 769/2005 OF MANNARKKAD POLICE STATION , PALAKKAD

PETITIONER.2ND ACCUSD:

**DILEEPKUMAR P.S, AGED 47 YEARS,
S/O.KRISHNANKUTTY (LATE), SPRING VALLEY, KALPATHY P.O
PALAKKAD DISTRICT.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**

BY PUBLIC PROSECUTOR SMT.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE A A TRUE COPY OF THE F.I.R IN CRIME NO 769/2005 OF MANNARKKAD
POLICE STATION,PALAKKAD DISTRICT

ANEXURE B TRUE COPY OF THE FINAL REPORT IN CRIME NO 412/2005 OF TOWN
NORTH POLICE STATION,PALAKKAD

ANNEXURE C TRUE COPY OF THE REPORT SUBMITTED BY THE INSPECTOR OF
POLICE,MANNARKKAD IN CRIME NO 769/2005 IMPLICATING THE
PETITIONER AND SUNILKUMAR AFORESAID AS ACCUSED IN THE
CRIME

ANNEXURE D TRUE COPY OF THE REPORT SUBMITTED BY THE SUB INSPECTOR OF
POLICE MANNARKKAD IN CRIME NO 769/2005

ANNEXURE E TRUE COPY OF THE JUDGMENT IN WRIT APPEAL NO 1811 OF 2006 OF
THIS HONOURABLE COURT DATED 01-12-2006

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.5933 of 2014
.....

Dated this the 2nd day of September, 2015

ORDER

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What is sought to be quashed is Annexure-A FIR in Crime No.769/2005 of Mannarkkad Police Station, Palakkad district registered for the offences punishable under Sections 465 and 474 IPC. It seems that for the same subject matter, another crime was registered by the Town North Police, Palakkad as Crime No.412/2005. Crime No.769/2005 of Mannarkkad Police Station was registered on 18.10.2005; whereas, Crime No.412/2005 was registered on 23.10.2005. The second crime i.e., Crime No.412/2005 registered on 23.10.2005 by the Town North Police, Palakkad is not legally sustainable in view of the registration of the earlier crime with regard to the same matter.

2. At the same time, what has been sought for is to get Crime No.769/2005 of Mannarkkad Police Station,

quashed. Some other reasons are also shown for contending that the charges cannot be made out against the petitioner.

3. Presently, it is too premature to hold that the charges alleged in Annexure-A FIR cannot be made out against the petitioner. Let the matter be investigated by the police.

With liberty to the petitioner to approach this Court for getting the proceedings relating to Crime No.412/2005 of Town North Police Station, Palakkad quashed, this Crl.M.C. is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/02/09

// True Copy //

PA to Judge