

IN THE HIGH COURT OF KERALAAT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Cri.MC.No. 7301 of 2015 ()

CRIME NO. 939/2015 OF AIROOR POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S):

RIYAS, AGED 36 YEARS
S/O.BASHEER, REEJA MANZIL
KALAKKODE PO, POOTHAKKULAM VILLAGE
KOLLAM TALUK, KOLLAM DISTRICT

BY ADVS.SMT.MINI GANGADHARAN
SRI.N.C.SAJUNAM

RESPONDENT(S):

1. STATE OF KERALA REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

2. BAIJU, 33 YEARS, S/O.RAMAYYAN
ABI NIVAS, KOCHALUMMOODU,
KOONAYIL CHERRY
PARAVUR PO, KOLLAM 691 301

R BY PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
19-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

ANN.A1 TRUE COPY OF THE FIR IN CRIME NO.939/15 OF AYIROOR POLICE STATION.

ANN.A2 TRUE COPY OF THE REPORT FILED BY SI OF POLICE, AYIROOR DTD 24.9.15 ALTERING 304A IPS AND INCORPORATING S.304 PART OF THE IPC.

ANN.A3 TRUE COPY OF THE PETITION FOR INTERIM CUSTODY OF THE BUS KL.02AB.9405 APPUS FILED BY THE REGISTERED OWNER MR.JALADHARAN BEFORE THE JFCM-I, VARKALA.

ANN.A4 TRUE COPY OF THE REPORT FILED BY SI OF POLICE, AYIROOR WITH RESPECT TO THE NAME AND ADDRESS OF THE DRIVER OF THE BUS KL.02AB.9405 APPUS INVOLVED IN THE CRIME.

// True Copy //

PA to Judge

B. KEMAL PASHA, J.

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Crl.M.C. No.7301 of 2015
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Dated this the 19th day of November, 2015

O R D E R

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Crime No.939/2015 of Ayiroor Police Station was originally registered for the offences punishable under Sections 279 and 304A IPC and Section 134(a) of the Motor Vehicles Act. During the course of investigation, it seems that the investigating officer has filed a report before the court below stating that there are materials to bring out the offence under Section 304 Part II IPC, and thereby seeking permission to get the said offence incorporated in the crime. That is being challenged.

2. Heard learned counsel for the petitioner.

3. The present stage is too premature to take a decision with regard to the merits or otherwise of the

concerned report. The police shall make proper investigation in the matter and file a final report. In case of any further grievance, it is open to the petitioner to approach this Court or appropriate forum for appropriate relief.

With the said liberty to the petitioner, this Crl.M.C. is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/19/11

// True Copy //

PA to Judge