

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Cr1.MC.No. 7334 of 2015 ()

CC 1519/2015 of JUDICIAL FIRST CLASS MAGISTRATE'S COURT,
ANGAMALY
CRIME NO. 996/2013 OF NEDUMBASSERY POLICE STATION, ERNAKULAM

PETITIONER:

AFSAL RAJA M. B., AGED 26 YEARS,
S/O.BASHEER, RASHEEDHA MANZIL, KALOOR,
ERNAKULAM DISTRICT-682017.

BY ADVS.SRI.BENHUR JOSEPH MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE,
NEDUMBASSERY POLICE STATION, ERNAKULAM-683111.

2. THE STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

DSV/27/11/15

Cr1.MC.No. 7334 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

A1 COPY OF THE F.I.R. SUBMITTED BY THE FIRST RESPONDENT
BEFORE THE JUDICIAL MAGISTRATE'S COURT NO.II, ALUVA DATED
14.07.2013 IN FIR NO.996/2013.

A2 COPY OF THE CHARGE SHEET FILED BY THE FIRST RESPONDENT
BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE'S COURT NO.II,
ALUVA DATED 15.07.2013.

A3 COPY OF OFFER LETTER ISSUED BY MDA COMPUTER TRADING ILC
DATED 11.11.2015.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/27/11/15

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 7334 of 2015
.....

Dated this the 26th day of November, 2015

ORDER

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. Petitioner is the accused in C.C.No.1519/2015 of the Judicial First Class Magistrate's Court, Angamaly, which has arisen from Crime No.996/2013 of the Nedumbassery Police Station, registered for the offence punishable under Section 419 of the Indian Penal Code.

3. The allegation against the petitioner is that on 14.07.2013 at 8.20 a.m., he had appeared at the veranda of the International Arrival Terminal of the Nedumbassery Airport by wearing a Purdah. The petitioner is a young man of 26. According to the learned counsel for the petitioner, there was no criminal intention on the part of the petitioner

by appearing there in a Purdah, and it was made just as a joke. At any rate, there are no ingredients to invite an offence under Section 498 IPC in the matter. The police have no case that the petitioner has committed any other offence. Matters being so, no purpose would be served in proceeding with the matter further, and therefore, all further proceedings in C.C.No.1519/2015 pending before the Judicial First Class Magistrate's Court, Angamaly, as against the petitioner, based on Annexure A2 Final Report, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.No.1519/2015 pending before the Judicial First Class Magistrate's Court, Angamaly, as against the petitioner, based on Annexure A2 Final Report are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge