

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q**

**Crl.MC.No. 7343 of 2015**  
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**CC 561/2014 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT,  
THIRUVANANTHAPURAM.  
CRIME NO. 1665/2013 OF VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM.**  
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**PETITIONER/ACCUSED A1:**  
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**NAGARAJ NARAYANAN, AGED 44,  
S/O DR.NARAYANAN NAIR,  
FORMERLY RESIDING AT JAYEM GARDENS,  
APARTMENTS NO. 25, OPPOSITE CHINMAYA VIDYALAYA,  
PALLIKKAVU TEMPLE ROAD, VADUTHALA,  
CHERANELLOOR VILLAGE, ERNAKULAM DSTRIC  
AND NOW RESIDING AT 'SHIVAM', 13 H,  
DD SILVER STONE, PADOM ROAD, VADUTHALA.**

**BY ADVS.SRI.R.T.PRADEEP  
SMT.M.BINDUDAS**

**RESPONDENT/STATE:**  
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**STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KEALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 30-11-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

**APPENDIX**

**PETITIONER(S)' ANNEXURES :**  
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**ANNEXURE I - CERTIFIED COPY OF THE FIR NO. 1665/2013 DT. 07.11.2013.**

**ANNEXURE II - CERTIFIED COPY OF THE FINAL REPORT DT. 26/2/2014 IN  
CRIME NO. 1665/2013 OF VANCHIYOOR POLICE STATION NOW  
NUMBERED AS CC NO. 561/2014 ON THE FILE OF ADDITIONAL  
CJM, THIRUVANANTHAPURAM.**

**RESPONDENTS' ANNEXURES: NIL.**  
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**//TRUE COPY//**

**P.S. TO JUDGE**

**mbr/**

**B. KEMAL PASHA, J.**

.....  
CRL.M.C. No. 7343 of 2015  
.....

Dated this the 30<sup>th</sup> day of November, 2015

**ORDER**

The petitioner is the first accused in C.C.No.561/2014 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram, which has arisen from Crime No.1665/2013 of the Vanchiyoore Police Station, registered for the offence punishable under Section 506(i) of the Indian Penal Code, read with Section 34 IPC.

2. The petitioner is a practicing lawyer. The 2<sup>nd</sup> accused in the case is also a lawyer. The prosecution case is that the accused have criminally intimidated the defacto complainant at the premises of a Court at Vanchiyoore, Thiruvananthapuram. The specific allegation is that the 2<sup>nd</sup> accused has intimidated the defacto complainant by

conveying such a message in open to the petitioner. Apart from that, there is no allegation against the petitioner in order to invite an offence under Section 506(i) Cr.P.C. in the matter. His presence and participation is not there for such an offence. The prosecution has no case that the petitioner has ever intimidated the defacto complainant. Matters being so, Annexure I FIR and Annexure II Final Report in Crime No.1665/2013 of the Vanchiyoor Police Station and all further proceedings in C.C.No.561/2014 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram, as against the petitioner herein, are liable to be quashed.

In the result, this Crl.M.C. is allowed and Annexure I FIR and Annexure II Final Report in Crime No.1665/2013 of the Vanchiyoor Police Station and all further proceedings in C.C.No.561/2014 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram, as against the petitioner herein, are hereby quashed.

**Sd/- B.KEMAL PASHA, JUDGE**

CRL.M.C.No. 7343 of 2015

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ul/-

[True copy]

P.S. to Judge