

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Crl.MC.No. 7430 of 2015 ()

CRIME NO. 1819/2013 OF ANCHALUMMOODU POLICE STATION , KOLLAM

PETITIONER(S)/2ND ACCUSED :

**JOY XAVIOUR, AGED 41 YEARS,
S/O.XAVIOUR, MADATHIL VEEDU, KUREEPPUZHA CHERI,
THRIKKADAVOOR VILLAGE, KOLLAM.**

**BY ADVS.SRI.D.AJITHKUMAR
SRI.D.JEEVAN**

RESPONDENT(S)/STATE & DE-FACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
ANCHALUMMOODU, KOLLAM-691 306.**
- 3. JOHNSON,
S/O.ANTONY, KINRUVILA VEEDU, KUREEPPUZHA,
PERINADU.P.O, KOLLAM-691 601.**

R1 & R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE-A1: CERTIFIED COPY OF THE F.I.R.IN CRIME NO.1819 OF 2013
OF ANCHALUMMOODU POLICE STATION.**

**ANNEXURE-A2: TRUE COPY OF THE LETTER DATED 17.01.2014 SENT BY
DE-FACTO COMPLAINANT TO THE 2ND RESPONDENT.**

**ANNEXURE-A3: AFFIDAVIT OF THE DE-FACTO COMPLAINANT WHO IS
THE 3RD RESPONDENT HEREIN.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
Crl.M.C. No. 7430 of 2015
.....

Dated this the 1st day of December, 2015

ORDER

The second accused in Crime No.1819/2013 of the Anchalammoodu Police Station has come up with a prayer to get the proceedings against him quashed. According to him, his name was wrongly mentioned by the defacto complainant at first, whereby he was implicated as the 2nd accused in the crime. Later, the defacto complainant realised that it was another person who was involved in the incident, and thereby he has issued Annexure-B letter to the investigating officer revealing the said aspect. It is for the investigating officer to investigate the crime properly.

2. The investigation is in progress. Let the matter be investigated and a final report be filed in the matter. Presently, there is nothing to interfere with the investigation.

Matters being so, there is no merit in the matter at present and any interference is not required in the matter.

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

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge