

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

Cr1.MC.No. 6957 of 2014

IN MC 44/2014 OF THE SUB DIVISIONAL MAGISTRATE, TIRUR

CRIME NO. 118/2014 OF VENGARA POLICE STATION, MALAPPURAM

PETITIONER/ACCUSED:

AHAMMED, AGED 48 YEARS,
S/O. MOIDEEN, MATTIL HOUSE, PALAPARAMBIL
PARAPPUR, POST KOTTAKKAL,
MALAPPURAM DISTRICT - 676 503.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS/COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.
2. THE DISTRICT POLICE CHIEF,
MALAPPURAM - 676 505.
3. THE SUB INSPECTOR OF POLICE,
VENGARA POLICE STATION
VENGARA - MALAPPURAM DISTRICT - 676 304.
4. SUB DIVISIONAL MAGISTRATE
(REVENUE DIVISIONAL OFFICER), TIRUR
MALAPPURAM DISTRICT - 676 101.
5. K.V.MANI,
FORMER SUB INSPECTOR OF POLICE,
VENGARA POLICE STATION, NOW SUB INSPECTOR OF POLICE,
EDAVANNA POLICE STATION, EDAVANNA,
MALAPPURAM DISTRICT - 676 541.
6. HARIS,
S/O. ABOOBACKER HAJI, VALLIL HOUSE, CHOLAKUNDU,
PARAPPUR POST, MALAPPURAM DISTRICT - 676 503.

R1 TO R4 BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER'S ANNEXURES:

A1 - COPY OF THE REPORT SUBMITTED BY THE FIRTH FRESPONDENT ON 22.1.14 (WRONGLY SHOWN AS 22.1.13).

A2 - COPY OF FIRST INFORMATION REPORT DT. 08.2.14 IN CRIME NO. 118/14 OF VENGARA POLICE STATION.

A3 - COPY OF REPORT DT. 13.1.14 SUBMITTED BY THE CIRCLE INSPECTOR OF POLICE, MALAPPURAM BEFORE THE JUDIDICIAL FIRST CLASS MAGISTRATE, MALAPPURAM.

A4 - COPY OF FIRST INFORMATION STATEMENT AND FIRST INFORMATION REPORT IN CRIME NUMBER 25/2014 OF VENGARA POLICE STATION AND DT. 10.1.14.

A5 - COPY OF FIRST INFORMATION REPORT DT. 11.1.14 IN CRIME NO. 29/2014 OF VENGARA POLICE STATION.

A6 - COPY OF WITNESS LIST AND THE CHARGE IN CRIME NUMBER 29/2014 OF VENGARA POLICE STATION.

A7 - COPY OF STATEMENT OF THE PRESENT SUB INPSECTOR OF POLICE, VENGARA AND DT. 21.5.14.

A8 - CERTIFIED COPY OF THE PROCEEDINGS IN M.C NO. 44/2014 ON THE FILE SUB DIVISIONAL MAGISTRATE, TIRUR.

A9 - COPY OF COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE DIRECTOR GENERAL OF POLICE.

RESPONDENTS' ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

ab

P.UBAID, J.

Crl.M.C No.6957 of 2014

Dated this the 14th day of January, 2015

O R D E R

The petitioner herein challenges a show cause notice given to him by the Executive Magistrate (Sub Divisional Magistrate), Tirur in a proceeding initiated under Section 107 of the Code of Criminal Procedure. During this proceeding, the 4th respondent (Sub Divisional Magistrate) was required to report the present stage of the said proceeding. Now the Sub Divisional Magistrate has reported that on enquiry he is well satisfied that there is no possibility of breach of peace as alleged by the police, and that the petitioner herein is not involved in any another crime. Accordingly, the Executive Magistrate has dropped further action against the petitioner in the said proceeding on 19.11.2014, and the petitioner stands discharged. This report is accepted.

In view of this report no further proceeding is required in this Criminal Miscellaneous Case brought under Section 482 of the Code of Criminal Procedure. Accordingly, this Criminal Miscellaneous Case will stand closed. This order will not bar action on the Annexure A9 complaint.

**P.UBAID
JUDGE**