

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

Crl.Rev.Pet.No. 395 of 2015 ()

(AGAINST THE ORDER IN M.P.267/2012 IN CC.480/2011 JFCM, KUNNAMKULLAM)
CRIME NO. 119/2009 OF VADAKKEKAD POLICE STATION , TRISSUR

REVISION PETITIONER/PETITIONER/ACCUSED:

A.RAJESH, AGED 37 YEARS
S/O.RAMAN NAIR, AMMASOM VEETIL, PUNNAYURKULAM VILLAGE
CHERAYI DESOM, ANDATHODU P.O
CHAVAKKAD, THRISSUR DISTRICT, PIN-679 564.

BY ADV. SMT.K.NANDINI

RESPONDENT/STATE:

- 1. STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF
POLICE VADAKKEKKAD POLICE STATION
THRISSUR DISTRICT
PIN-679 564 THROUGH PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

ADDL.2 SHRI.SACHIDANANDAN NAIR, AGED 62 YEARS
S/O.DAMODARAN NAIR, AMMASOM VEETIL HOUSE
ANDATHODU PO
THRISSUR DISTRICT
PIN 679 564.

IS IMPEADED AS ADDL.R2 AS PER ORDER DATED 18.11.2014 IN CRL.M.A.
NO. 3827/2014

R1 BY PUBLIC PROSECUTOR, SHRI.V.S.SREEJITH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON
09-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Crl.R.P. No.395 of 2015

Dated this the 9th day of November 2015

O R D E R

The revision petitioner is the accused in C.C. No.480 of 2011 on the files of the Court of the Judicial Magistrate of First Class, Kunnankulam. The offences alleged against the petitioner are the offences under Sections 420 and 468 IPC read with Section 34 IPC.

2. The revision petitioner filed M.P. No.267 of 2012 before the court below praying for discharging him under Section 239 of the Code. The said application was dismissed by the court below as per order dated 11.5.2012 in M.P. No.267 of 2012. The court below also directed

the Investigating Officer to conduct further investigation. The final report was also returned to the Station House officer for further investigation. Aggrieved by the said order, this revision petition has been filed.

3. Heard.

4. It appears that the final report had been already filed by the Police after completing further investigation. Since the final report has been already filed by the police after completing further investigation, the revision petitioner shall be at liberty to approach the court below with a fresh application for discharge under Section 239 of the Code. Since the final report has been already filed after completing further investigation, the prayer to set aside the order directing further investigation cannot be granted.

CrI.R.P.395/2015

: 3 :

In the view of the above reasons, the order impugned does not call for any interference by this Court.

In the result, this revision petition stands dismissed.

Sd/-

**B.SUDHEENDRA KUMAR,
JUDGE**

dl/9.11.2015

// True Copy //

PA to Judge