

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS**

**TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937**

**WP(C).No. 10721 of 2015 (M)**  
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**PETITIONER:**  
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**M.A.POOKOYA,  
ASMAS COTTAGE, VALIAMARAM WARD,  
ALLEPPEY.**

**BY ADV. SRI.ANIL KUMAR M.SIVARAMAN**

**RESPONDENTS:**  
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- 1. THE DISTRICT POLICE CHIEF,  
OFFICE OF THE SUPERINTENDENT OF POLICE,  
ALLEPPEY- 688 001**
- 2. THE CIRCLE INSPECTOR OF POLICE,  
NORTH POLICE STATION, ALLEPPY-688 001**
- 3. THE THE SUB INSPECTOR OF POLICE,  
NORTH POLICE STATION, ALLEPPEY-688 001**

**BY PUBLIC PROSECUTOR SRI.N.SURESH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 07-07-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**sts**

WP(C).No. 10721 of 2015 (M)

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**APPENDIX**

**PETITIONER(S)' EXHIBITS**

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- P1:- TRUE COPY OF THE COMPLAINT DTD 16/10/2014 WITH ACKNOWLEDGEMENT RECEIPT
- P2:- TRUE COPY OF THE FIR NO.1318/2014 DTD 7/11/2014 REGISTERED BY ALAPPUZHA NORTH POLICE STATION
- P3:- TRUE COPY OF THE ORDER DTD 21/1/2015 IN OP.590/2014 PASSED BY THE POLICE COMPLAINTS AUTHORITY
- P4:- TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE HEAD MISTRESS TO THE A.E.O., ALAPPUZHA DTD 15/10/2014
- P5:- TRUE COPY OF THE FIR NO.1320 DTD 8/11/2014 REGISTERED AGAINST THE PETITIONER
- P6:- TRUE COPY OF THE OF SCENE MAHAZAR DTD 10/11/2014 PREPARED BY S.I OF POLICE, ALAPPUZHA NORTH POLICE STATION
- P7:- TRUE COPY OF THE REPRESENTATION DTD 30/12/2014 FILED BEFORE THE IST RESPONDENT

**RESPONDENT(S)' EXHIBITS:**

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NIL

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

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W.P(C ) No.10721 of 2015

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Dated this the 7<sup>th</sup> day of July, 2015

J U D G M E N T

The prayers in this Crl.M.C are as follows:

i. To issue a writ of mandamus or any other writ, direction or order commanding the 1<sup>st</sup> respondent to conduct a proper and fair investigation upon the crime registered as 1318/14 & 1320/14 of the North Police Station, Alappuzha by entrusting the same to a special investigation team under the supervision of the District Police Chief.

ii. Issue a direction to the 1<sup>st</sup> respondent to investigate Ext.P2 and P5 crimes registered by 3<sup>rd</sup> respondent by entrusting the same to the crime detachment bureau under the supervision of higher officers.

iii. Grant such other appropriate writ, direction or order as this Hon'ble Court may deem fit and proper in the fact and circumstances of the case."

2. As directed by this Court, earlier the third respondent Sub Inspector of Police, Alappuzha North Police Station had filed statement dated 16.6.2015 in this case. On the basis of such statement this Court had passed order dated 25.6.2015 which reads as follows:

"From a reading of paragraph 2 to 4 of the statement dated 16/06/2015 filed by the 3<sup>rd</sup> respondent- Sub Inspector of Police, Alappuzha North Police Station, that the investigation in Ext.P2 Crime No.1318/2014 of Alappuzha North Police Station in which the petitioner herein was the de facto complainant, has been completed and the final report/charge sheet has been submitted before the Judicial First Class Magistrate Court, Alappuzha on 17/04/2015.

2. It can be further seen from a reading of paragraph 5 and 7 of the above said statement that the investigation in the impugned Ext.P5 Crime No.1320/2014 has not yet been completed and that

there was some contradictions seen in the deposition statement of the witness and in the report sent by the Headmistress to higher authorities and that more effective investigation is required in this case and that investigation is being continued etc.

3. The Investigating Officer will immediately furnish instructions to the Public Prosecutor and file a statement detailing out as to the reasonable time required for completion of the investigation in Ext.P5 Crime No.1320/2014 of Alappuzha North Police Station and for submission of final report in that case. The statement shall be filed within a period of one week from today."

3. Now in pursuance of the directions issued by this Court on 25.6.2015, the said investigating Officer has filed an additional statement dated 3.7.2015 and the last paragraph thereof reads as follows:

"The investigation in this crime can be concluded within 10 days and the charge sheet can be filed before 31<sup>st</sup> of July 2015."

4. The Crime referred to in the last paragraph of the above additional statement is Ext.P5, Crime No. 1320/14. Therefore recording the submissions in the statement dated 16.6.2015 and the additional statement dated 3.7.2015 filed by the Investigating officer, this W.P(C) is closed with the direction to the Investigating Agency to ensure that the investigation in respect of Ext.P5 Crime No.1320/14 is also completed and concluded without any further delay and preferably within the time limit suggested in the aforestated additional statement of the Investigating Officer.

In the light of these aspects, this W.P.(C) stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE

