

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C).No. 11492 of 2015 (J)

PETITIONER(S):

**SHIYAS,
S/O.IBRAHIM, INJAKUDY HOUSE, NOOLELIKKARA,
ASSAMANNOOR VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.**

BY ADV. SRI.R.PARAMESWARA IYER

RESPONDENT(S):

- 1. THE DISTRICT POLICE CHIEF, ERNAKULAM RURAL,
ALUVA-682 337.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
PERUMBAVOOR-682 435.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
KURUPAMPADY, PERUMBAVOOR-682 335.**
- 4. THE STATE POLICE CHIEF, KERALA,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM-695 001.**
- 5. ASHARAF, S/O.MUHAMMED,
CHITTETHUKUDY HOUSE, NOOLELIKARA, ASAMANNOOR VILLAGE,
KUNNATHUNADU TALUK-682 434.**

R1-R4 BY GOVERNMENT PLEADER SMT.SAREENA GEORGE

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 11492 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P-1: TRUE COPY OF THE WOUND CERTIFICATE ISSUED FROM THE HOSPITAL.

EXHIBIT P-2 : TRUE COPY OF THE STATEMENT GIVEN BY THE PETITIONER.

EXHIBIT P-3: TRUE COPY OF THE FIR AND FI STATEMENT IN CRIME NO.630/2015.

EXHIBIT P-4: TRUE COPY OF THE REQUEST MADE BY THE PETITIONER BEFORE THE 1ST RESPONDENT ON 31.5.2015.

EXHIBIT P-4(A): TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE.

Ms v/

B.KEMAL PASHA, J.

=====

W.P.(C). No. 11492 of 2015

=====

Dated this the 3rd day of September, 2015

J U D G M E N T

One Ibrahim, who is the father of the present petitioner, is the sole accused in Crime No.630/2015 of the Kuruppampady Police Station. Even though the mother and sister of the petitioner were also earlier arraigned as accused in the crime, later, they were removed. Presently, the father of the petitioner alone is the accused. It seems that the investigation is over and final report has been filed.

2. The present request of the petitioner is to have a further investigation of the case under Section 173(8) Cr.P.C. It seems that there is no such request from the sole accused in the crime. The petitioner is not an accused in

the crime or the de facto complainant in the crime. Matters being so, the said request cannot be entertained.

With liberty to the accused to move under Section 173 (8) Cr.P.C., this writ petition is dismissed.

Sd/-
B.KEMAL PASHA, JUDGE

stu