

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYASHTA, 1937

WP(C).No. 14629 of 2015 (C)

PETITIONERS :

**PRINSA PULARI @ PRINCY THOMAS,
W/O. THOMAS, EDAPPILLY HOUSE, FLAT NO.3C
SKYLINE VILLAGE HEIGHTS, GOAYIKUNNU DESAM
CHIYARAM VILLAGE, THRISSUR.**

**BY ADVS.SRI.LINDONS C. DAVIS
SMT. R.K. ASHA**

RESPONDENTS :

- 1. INSPECTOR GENERAL OF POLICE,
THRISSUR-680 001.**
- 2. SUB INSPECTOR OF POLICE,
NEDUPUZHA POLICE STATION,
THRISSUR DISTRICT – 680 001.**

**R1 & R2 BY STATE ATTORNEY SRI. P. VIJAYA RAGHAVAN
BY GOVT. PLEADER SRI. ABDUL SHUKOOR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 14629 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1 TRUE COPY OF THE COMPLAINT OF THE PETITIONER BEFORE
IG,THRISSUR ALONG WITH THE ACKNOWLEDGMENT RECEIPT DATED
14.11.2014.**
- EXT.P2 TRUE COPY OF FIR NO.1632/2014 OF NEDUPUZHA POLICE STATION.**
- EXT.P3 TRUE COPY OF THE COMPLAINT FILED AS CRL.MP.NO. 2711/2015
BEFORE THE JFCM-II,THRISSUR.**
- EXT.P4 TRUE COPY OF THE REPORT OF THE 2ND RESPONDENT DATED
13.05.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

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W.P.C. No.14629 of 2015
.....

Dated this the 11th day of June, 2015

J U D G M E N T

Petitioner is the 1st informant in Crime No.1632 of 2014 of Nedupuzha Police station registered for the offences under Secs. 354A(1)(i) and 354B of Indian Penal Code. Her complaint is that the Police did not get her statement recorded under Sec.164 (5A)(a) Cr.P.C.

2. Heard.

3. There is no doubt that it is the duty of the investigating officer to get the victim's statement recorded under Sec.164(5A)(a) Cr.P.C. by a Judicial First Class Magistrate. This has not been done in this case. The investigating officer has to do it.

In the result, this application is allowed. The 2nd respondent is directed to ensure compliance with Sec.164(5A)(a) Cr.P.C. immediately.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A To Judge