

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 16957 of 2014 (T)

PETITIONER(S):

1. SREEDEVI,
D/O.AMRITHAM, BP VIII/195, VINAYAKA STREET,
KOTTACKAL VILLAGE, BALARAMAPURAM
2. SANDHYA R,
D/O.RAJAN, BP VIII/221, VINAYAKA STREET,
KOTTACKAL VILLAGE, BALARAMAPURAM
3. AMRITHAM
D/O.BHAGAVATHI, BP VIII/360, VINAYAKA STREET,
KOTTACKAL VILLAGE, BALARAMAPURAM
4. LAKSHMI,
D/O.ALAKAMMA, VINAYAKA STREET, KOTTACKAL VILLAGE,
BALARAMAPURAM.
5. KRIPA,
D/O.PADMA, BP VIII/1997, DHURGA,
ERATTATHERUVU, BALARAMAPURAM

BY ADV. SRI.R.GOPAN

RESPONDENT(S):

1. THE PRINCIPAL SECRETARY,
HOME DEPARTMENT, GOVERNMENT SECETARIAT,
THIRUVANANTHAPURAM - 695 001
2. ADDITIONAL DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 695 001
3. SUPERINTENDENT OF POLICE (RURAL),
OFFICE OF THE SUPERINTENDENT OF POLICE (RURAL),
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM - 695 001
4. DIRECTOR,
CENTRAL BUREAU OF INVESTIGATION, NEW DELHI,
REPRESENTED BY ITS STANDING COUNSEL,
HIGH COURT OF KERALA, ERNAKULAM - 682 031

5. MADHUSOODHANAN NAIR,
SUB INSPECTOR OF POLICE,
BALARAMAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT - 695 001

* ADDL.R6 IS IMPEADED

ADDL.R6: JOSHY P. S/O PRABHAKARAN, AGED 48 YEARS,
KAILASAM, GRA 609 T.C 2/1780(2) GOURISA PATTOM, PATTOM P.O
TRIVANDRUM 695 004

* ADDL. R6 IS IMPEADED AS PER ORDER DATED 20.01.2015 IN IA 680/15

R1 -R 3 BY ADV. STATE ATTORNEY
ADDL.R6 BY ADV. SRI.S.SREEKUMAR (SR.)
ADDL.R6 BY ADV. SRI.P.MARTIN JOSE
ADDL.R6 BY ADV. SRI.P.PRIJITH
ADDL.R6 BY ADV. SRI.THOMAS P.KURUVILLA
R5 BY GOVERNMENT PLEADER SMT.MAYA
R4 BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AD

APPENDIX

PETITIONER(S)' EXHIBITS

EXT P1 - PHOTOCOPY OF THE FIR IN CRIME NO. 307/2-14 OF BALARAMAPURAM
POLICE STATION DATED. 17.3.2014

EXT P1(A)-PHOTOCOPY OF THE FIR IN CRIME NO. 308/2014 OF BALARAMAPURAM
POLICE STATION 17.3.2014

EXT P1(B)-PHOTOCOPY OF THE FIR IN CRIME NO. 338/2014 OF BALARAMAPURAM
POLICE STATION 22.3.14

EXT P1(C)-PHOTOCOPY OF THE FIR IN CRIME NO 338/2014 OF BALARAMAPURAM
POLICE STATION 22.3.14

EXT P1(D)-PHOTOCOPY OF THE FIR IN CRIME NO. 311/2014 OF BALARAMAPURAM
POLICE STATION 17.3.14

EXT P2 -PHOTOCOPY OF NOTICE DATED MAY 2014 ISSUED BY THE SUB
INSPECTOR OF POLICE, BALARAMAPURAM AND ITS REPLY BY THE 1ST
PETITIONER

EXT P2(A)- PHOTOCOPY OF NOTICE DATED MAY 2014 ISSUED BY THE SUB
INSPECTOR OF POLICE, BALARAMAPURAM AND ITS REPLY BY THE 2ND
PETITIONER

EXT P2(B)-PHOTOCOPY OF NOTICE DATED MAY 2014 ISSUED BY THE SUB
INSPECTOR OF POLICE, BALARAMAPURAM AND ITS REPLY BY THE 3RD
PETITIONER

EXT P2(C)-PHTOCOPY OF NOTICE DATED MAY 2014 ISSUED BY THE SUB INSPECTOR
OF POLICE, BALARAMAPURAM AND ITS REPLY BY THE 4TH PETITIONER

EXT P2(D)-PHTOCOPY OF NOTICE DATED MAY 2014 ISSUED BY THE SUB INSPECTOR
OF POLICE, BALARAMAPURAM AND IRS REPLY BY THE 5TH PETITIONER

EXT P3 -PHTOCOPY OF THE JUDGMENT DATED 07.3.2014 IN WPC NO. 5301/14 OF
THIS HONOURABLE COURT

EXT P4 - PHOTOCOPY OF THE RECEIPT FOR THE COMPLAINT DATED 08.8.13 FILED
BY THE 1ST PETITIONER BEFORE THE 5TH RESPONDENT

EXT P4(A)-PHOTOCOPY OF THE RECEIPT FOR THE COMPLAINT DATED 8.8.13 FILED
BY THE 2ND PETITIONER BEFORE THE 5TH RESPONDENT

EXT P4(B)-PHOTOCOPY OF THE RECEIPT FOR THE COMPLAINT DATED 8.8.13 FILED
BY THE 3RD PETITIONER BEFORE THE 5TH RESPONDENT

EXT P4(C)-PHOTOCOPY OF THE RECEIPT FOR THE COMPLAINT DATED 8.8.13 FILED
BY THE 4TH PETITIONER BEFORE THE 5TH RESPONDENT

EXT P4(D)-PHOTOCOPY OF THE RECEIPT FOR THE COMPLAINT DATED 8.8.13 FILED BY THE 5TH PETITIONER BEFORE THE 5TH RESPONDENT

EXT P5 -PHOTOCOPY OF THE COMPLAINT DATED 06.5.2014 FILED BY THE PETITIONERS AND OTHERS BEFORE THE 3RD RESPONDENT

EXT P6 - PHOTOCOPY OF THE COMPLAINT DATED 07.5.2014 FILED BY THE PETITIONERS AND OTHERS BEFORE THE HON.HOME MINISTER

EXT P7 -PHOTOCOPY OF THE COMPLAINT DATED 24.6.2014 FILED BY THE PETITIONERS AND OTHERS BEFORE THE 1ST RESPONDENT

EXT P8 -PHOTOCOPY OF CMP NO. 7569/2014 FILED BY THE 1ST PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - III, NEYYATTINKARA DATED 10.6.14

EXT P8(A)-PHOTOCOPY OF CMP NO. 7567/2014 FILED BY THE 2ND PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - III, NEYYATTINKARA DATED 10.6.14

EXT P8(B)-PHOTOCOPY OF CMP NO. 7571/14 FILED BY THE 3RD PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - III, NEYYATTINKARA DATED 10.6.14

EXT P8(C)-PHOTOCOPY OF CMP NO. 7570/14 FILED BY THE 4TH PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - III, NEYYATTINKARA DATED 10.6.14

EXT P8(D)-PHOTOCOPY OF CMP NO. 7568/14 FILED BY THE 5TH PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - III, NEYYATTINKARA DATED 10.6.14

EXT P9 - PHOTOCOPY OF ORDER IN C.M.P NO.7272/2012 DATED 3.10.2013 OF THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-III, NEYYATTINKARA

EXT P10 - PHOTOCOPY OF THE POLYGRAPH EXAMINATION REPORT SUBMITTED BY THE DIRECTOR OF FORENSIC SCIENCE LABORATORY, THIRUVANANTHAPURAM DATED 29.11.2013

EXT P11 - PHOTOCOPY OF THE STATEMENT GIVEN BY SMT. RAJESWARI BEFORE THE LEARNED MAGISTRATE DATED 3.7.2014

EXT P12 - PHOTOCOPY OF THE STATEMENT GIVEN BY SMT. RAJESWARI TO THE LEARNED MAGISTRATE

RESPONDENT(S)' EXHIBITS

ANNEXURE R5(A): TRUE COPY OF THE JUDGMENT DATED 7.08.2014 IN CRL.M.C
4443/14

//TRUE COPY//

P.A. TO JUDGE

AD

B.KEMAL PASHA, J.

W.P(C).No.16957 of 2014

Dated this the 29th day of October, 2015

JUDGMENT

Alleging lack of proper investigation in Crime Nos. 307, 308, 338, 312 and 311/2014 of Balaramapuram Police Station registered for the offence punishable under Sections 452, 406 and 34 of IPC, petitioners, who are the de facto complainants have approached this Court through this writ petition. The Investigating Officer has repeatedly filed reports, and reported that the investigation is almost over. Presently, the learned Public Prosecutor submitted that, the Final Report can be filed in the matter within one month.

2. The Investigating Officer shall complete the investigation and file the final report within one month from today. In case of any grievance in the matter on getting the final report, it is open to the petitioners to

approach this Court or the appropriate Forum for appropriate relief. With the said liberty to the petitioners, this writ petition is closed.

Sd/-
B.KEMAL PASHA
JUDGE

AD/29/10/15