

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 19024 of 2014 (C)

PETITIONER:

**A.SUBAIR, AGED 37 YEARS
S/O.LATE ABDUL AZEEZ
MAVILA VEEDU, KAYALVARAM
VAKKOM-695306.**

**BY ADVS.SRI.T.M.ABDUL LATHEEF
SRI.A.MOHAMED RASHEED**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
HOME DEPARTMENT, THIRUVANANTHAPURAM-695001.**
- 2. DIRECTOR GENERAL OF POLICE
POLICE HEAD QUARTERS, VAZHUTHAKKADU
THIRUVANANTHAPURAM-695014.**
- 3. S.VINOD KUMAR
ADDITIONAL SUB INSPECTOR OF POLICE
KADAKKAVOOR POLICE STATION, KADAKKAVOOR-695306.**
- 4. SHEEJA AHAD
W/O.ABDUL AHAD, HYFA MANZIL, KAYALVARAM
VAKKOM-695306.**
- 5. ABDUL AHAD, HYFA MANZIL
KAYALVARAM, VAKKOM-695306.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. S. HYMA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT-P1:** TRUE COPY OF THE F.I.R.NO.300/2014 DATED 25.03.2014 OF THE KADAKKAVOOR POLICE STATION.
- EXHIBIT-P2:** TRUE COPY OF THE ORDER DATED 26.04.2014 PASSED BY THE SESSIONS COURT, THIRUVANANTHAPURAM IN CR.M.C.NO.927 OF 2014.
- EXHIBIT-P3:** TRUE COPY OF THE F.I.R.NO.553/2014 DATED 22.06.2014 OF THE KADAKKAVOOR POLICE STATION.
- EXHIBIT-P4:** TRUE COPY OF THE ORDER DATED 25.06.2014 PASSED BY THIS HONOURABLE COURT IN BAIL APPLN.NO.4409 OF 2014.
- EXHIBIT-P5:** TRUE COPY OF THE TREATMENT CARD O.P.NO.137432 DATED 28.06.2014 OF THE TALUK HEADQUARTERS HOSPITAL, CHIRAYUINKIZHU.
- EXHIBIT-P6:** TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT POLICE AUTHORITY, THIRUVANANTHAPURAM DATED 09.07.2014.
- EXHIBIT-P7:** TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 2ND REESPONDENT DATED 09.07.2014.

RESPONDENTS' EXHIBITS

NIL

// TRUE COPY // P.A. TO JUDGE

SD

P. UBAID, J.

W.P.(C)No.19024 of 2014

Dated this the 25th day of March, 2015

JUDGMENT

The writ petitioner seeks a direction for investigation by the Crime Branch in two crimes registered against him by the Kadakkavur Police. The main offence involved in two crimes is under Section 354 IPC. Now, there is report from the Sub Inspector, Kadakkavur that investigation is already over in the two crimes, and that the police has submitted final report in the two crimes in court. In such a situation, there is no scope for a direction as sought by the writ petitioner. He can pursue appropriate relief possible under the law as regards final report submitted by the police. If he is, in any manner, aggrieved by the final report, he can file proper proceeding in the court below.

2. The writ petitioner has a further grievance that he was harassed by the police officer during investigation. If he has such a grievance, he will have to make appropriate complaint before the proper authority for necessary action against the police officer. Such a grievance cannot be dealt with here, where the relief sought is only regarding investigation in the two crimes.

In the result, the report submitted by the Sub Inspector of Police, Kadakkavur is recorded, and the writ petition is closed without prejudice to the right of the petitioner to pursue appropriate remedy under the Code of Criminal Procedure as regards the final report, if he is, in any manner, aggrieved by the final report.

Sd/-

P. UBAID, JUDGE

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