

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C) .No. 30782 of 2012 (W)

PETITIONER(S) :

C.A.SURENDRAN,
CHITTEZATH HOUSE, KUMBALAM,
ERNAKULAM.

BY ADVS.SRI.C.A.ANOOP
SRI.P.R.JAYAKRISHNAN

RESPONDENT(S) :

1. SENSILAS MATHIAS,
KOCHUTHOPPIL HOUSE, CHIRAYINKEEZH,
THIRUVANANTHAPURAM-698 304.
2. STATION HOUSE OFFICER,
CENTRAL POLICE STATION,
ERNAKULAM-682 031.
3. STATE OF KERALA,
REPRESENTED BY BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKLAM-682 031.

BY GOVERNMENT PLEADER SMT. SEREENA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1: COPY OF THE STATEMENT SHOWING THE AMOUNT DEPOSITED IN THE 1ST RESPONDENT'S ACCOUNT.

EXHIBIT P2: COPY OF THE COMPLAINT DATED 07/12/2011 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P2(A): COPY OF THE RECEIPT NO.92 DATED 07/12/2011 RECEIVED FROM CENTRAL STATION, ERNAKULAM.

EXHIBIT P3: COPY OF THE NEWS PUBLISHED IN MATHRUBHUMI DAILY DATED 23/06/2012.

EXHIBIT P4: COPY OF THE NEWS PUBLISHED IN RASHTRADEEPIKA DAILY DATED 23/06/2012.

EXHIBIT P5: COPY OF THE NEWS PUBLISHED IN DESABHIMANI DAILY DATED 26/06/2012.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B.KEMAL PASHA, J.

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W.P.(C).No.30782 of 2012

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Dated this the 29th day of September, 2015

J U D G M E N T

It has come out that Exhibit P2 complaint revealing cognizable offence was filed by the petitioner before the Station House Officer, Central Police Station, Ernakulam. Exhibit P2(a) receipt also shows that such a complaint was filed. So far no crime has been registered. According to the learned Government Pleader, the information furnished by the Police is that the parties were about to settle the matter and that was the reason for not registering a crime. That is not a cogent reason to avoid the duty to register a crime, when cognizable offences have been revealed. There is evidence

to show that the amounts were obtained by the accused. The Station House Officer, Central Police Station, Ernakulam, shall register a crime forthwith and proceed with the investigation.

With the said direction, this Writ Petition is closed.

Sd/-

**B. KEMAL PASHA
JUDGE**

DSV/29/9/15

// True Copy //

P.A. To Judge