

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 27211 of 2015 (B)

PETITIONER(S):

**S.VENKATESAN, AGED 60 YEARS,
S/O.SUBBAYYA NAIDU, 176, IIANGO NAGAR,
AVARAMPALAYAM, GANAPATHY P.O., COIMBATORE 641 006.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

RESPONDENT(S):

- 1. THE DIRECTOR GENERAL OF POLICE, TRIVANDRUM,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 694 001.**
- 2. THE SUPERINTENDENT OF POLICE,
PALAKKAD DISTRICT - 678 001.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
HEMAMBIKA NAGAR POLICE STATION, PALAKKAD - 678 004.**
- 4. THE SUB INSPECTOR OF POLICE,
MALAMPUZHA POLICE STATION, MALAMPUZHA,
PALAKKAD DISTRICT - 678 001.**

BY SENIOR PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 27211 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE FIR IN CRIME NO.150/2011 ALONG WITH FIRST INFORMATION
GIVEN BY THE PETITIONER.**

**P2: TRUE COPY OF THE FINAL REPORT IN CRIME NO.150/2011 OF MALAMPUZHA
POLICE STATION IN SC.NO.739/2012 OF ADDITIONAL SESSIONS COURT III,
PALAKKAD.**

**P3: TRUE COPY OF THE PETITION FILED BY THE PETITIONER UNDER SECTION
173/(8) OF CR.P.C BEFORE THE ADDITIONAL DISTRICT AND SESSIONS COURT
(FAST TRACK), PALAKKAD.**

**P4: TRUE COPY OF THE ORDER DATED 5/11/2014 IN C.M.P NO.2961/2014 IN
SC.NO.739/2012 OF THE COURT OF ADDITIONAL DISTRICT AND SESSIONS
COURT III, PALAKKAD.**

**P5: TRUE COPY OF THE SUPPLEMENTARY REPORT SUBMITTED BY THE
3RD RESPONDENT**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B. KEMAL PASHA, J.

.....
W.P.(C) No.27211 of 2015
.....

Dated this the 25th day of September, 2015

J U D G M E N T

A further investigation was ordered in the case and the further investigation was conducted. Even though the petitioner has got a case that the accused in the case has attacked him as a consequence of the illicit connections of the accused with the wife of the petitioner, the investigating officer could not collect any evidence leading to a conspiracy hatched in between the wife of the petitioner and the accused. The further investigation conducted in the matter also did not yield any result.

2. It seems that the petitioner and his wife are

residing separately. There is nothing to infer that the petitioner was attacked by the accused as a consequence of the conspiracy hatched in between the wife of the petitioner and the accused.

On going through the contents of the CD and the records, this Court does not find anything to interfere with the investigation so far conducted, and a further investigation once again in the matter will also not yield any result in favour of the petitioner. During evidence, in case the complicity of the wife of the petitioner or any other person comes to light, this is not an end of the road as the petitioner can have recourse to the provisions of Section 319 Cr.P.C. With the said liberty to the petitioner, this Writ Petition is closed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge