

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 29525 of 2014 (M)

PETITIONER :

**SHYBU,
S/O.RAMACHANDRAN, AGED 23 YEARS,
RAJEEV GANDHI HOUSING COLONY,
SREE RAM PURAM, KALLUVATHUKKAL, KOLLAM (DIST).**

**BY ADVS.SRI.BIMAL K.NATH
SRI.SREEVALSAN.V
SMT.M.K.SHIMI
SRI.D.SREENATH
SMT.P.N.SINDHU**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY, HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM- 695 001.**
- 2. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM-695 001.**
- 3. COMMISSIONER OF POLICE,
KOLLAM-691 001.**
- 4. THE SUB INSPECTOR OF POLICE,
PARIPPALLY POLICE STATION, KOLLAM,
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-31.**

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: A TRUE COPY OF THE FIR IN CRIME NO.913/2013 REGISTERED BY
PARIPPALLY POLICE DATED 05/06/2013.**

**EXHIBIT-P2: A TRUE COPY OF THE REPRESENTATION DATED 20/10/2014
SUBMITTED BY THE PETITIONER BEFORE 1ST AND 2ND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

ALEXANDER THOMAS, J.

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Dated this the 3rd day of June, 2015.

J U D G M E N T

The prayers in the above Writ Petition reads as follows:

“i) To call for the records leading to Exhibit-P1 and issue an order or direction to the respondents 1 to 3 to conduct proper investigation of Crime No. 913/2013 by a specialized agency;

ii) To issue a direction to the respondents to take all necessary steps for an effective and proper investigation to find out the real culprits.”

2. The 4th respondent had earlier filed a statement dated 17.11.2014 in the matter wherein inter alia it has been stated that on 15.2.2014, the investigation was taken over by one Sri.A.Sudarsanan, SI of Police and the veracity of the certificates as produced by the suspects in the crime is yet to be received from the authorities concerned and that investigation of the case is in progress and shall be expedited in the interest of justice.

3. This Court on 13.3.2015 and on 22.5.2015 had specifically directed the Public Prosecutor to get instructions as to whether investigation in this case could be entrusted with a senior officer not

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below the rank of Assistant Commissioner of Police or whether further investigation could be conducted under such senior officer's supervision.

4. Today, when the matter came up for consideration, the learned Public Prosecutor on instruction from the 3rd respondent-Commissioner of Police, Kollam has stated that now the investigation of Crime No.913/2013 of Parippally Police Station has been entrusted to one Sri.Jayakrishnan, Station House Officer of Parippally Police Station under the direct supervision of Assistant Commissioner of Police vide Commissioner of Police's order dated 28.5.2015 and that the Assistant Commissioner of Police has been instructed to review the progress of investigation on a weekly basis and also instructed to submit the status report of the investigation within a month.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondents.

6. In view of the aforementioned aspects and taking into consideration the facts and circumstances in this case, it is ordered in the interest of justice that the investigation shall be closely supervised and monitored by the Assistant Commissioner of Police, District Crime Branch, Kollam City as stated above on behalf of the 3rd respondent-

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Commissioner of Police and he shall review the progress of the investigation on a weekly basis and ensure that necessary status report of the investigation is obtained. It is also ordered that in case the petitioner has any further grievance in the conduct of the further investigation, he will be at liberty to submit specific representation to the 3rd respondent-Commissioner of Police pointing out the exact grievances in that regard and it will be for the 3rd respondent to call for the CD file in this case and examine as to what action is necessary to be taken for redressal of any such genuine grievances. The 3rd respondent-Commissioner of Police, Kollam City is also directed to monitor the investigation in a manner as he deems fit and proper.

With these observations and directions the CrI.M.C stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-