

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

WP(C).No. 37197 of 2015 (Y)

PETITIONER(S):

1. NARAYANAN, S/O VELANKUTTY, AGED 41 YEARS,
RESIDING AT KUNDALI HOUSE,
THIRUVAZHIYADU, CHITTUR, PALAKKAD DISTRICT.
2. PRABHAKARAN, S/O NARAYANAN, AGED 37 YEARS,
RESIDING AT KUNDALI HOUSE,
THIRUVAZHIYADU, CHITTUR, PALAKKAD DISTRICT.
3. RAMACHANDRAN, S/O KRISHNAN, AGED 55 YEARS,
RESIDING AT PUTHENKULAM HOUSE,
THIRUVAZHIYADU, CHITTUR, PALAKKAD DISTRICT.
4. CHANDRAN, S/O KANDAN, AGED 55 YEARS,
KUNDILIDIVAU HOUSE, THIRUVAZHIYADU,
CHITTUR, PALAKKAD DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

1. THE SUB INSPECTOR OF POLICE,
NENMARA POLICE STATION , PALAKKAD DISTRICT,
PIN-678 014
2. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 37197 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE FIRST INFORMATION REPORT IN
CRIME NO. 683/14 DT. 15/5/2014 OF NENMARA POLICE STATION
- EXT.P2: TRUE COPY OF THE SEIZURE MAHAZAR DT. 14/5/2014 PREPARED BY
THE 1ST RESPONDENT
- EXT.P3: TRUE COPY OF THE WRITTEN REQUEST SUBMITTED BY THE
OWNERS OF VEHICLES DT. 14/5/2014
- EXT.P4: TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DT. 16/5/2014 IN WPC.NO. 12633/14
- EXT.P5A AND B : TRUE COPY OF THE RECEIPT ISSUED FROM THE SUB TREASURY,
KOLLANGODE REGARDING THE RECEIPT OF COMPOUNDING FEE
OF RUPEES TWENTY-FIVE THOUSAND EACH FROM THE OWNERS
OF VEHICLE
- EXT.P6: TRUE COPY OF THE FINAL REPORT IN CRIME NO. 683/14 OF
NEMANRA POLICE STATION

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 37197 of 2015

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Dated this the 16th day of December, 2015

J U D G M E N T

The petitioners approached this Court on account of filing final report in connection with Crime No.683/2014 registered by the Nenmara Police Station.

2. The issue is relating to the offence alleged against the petitioners under the Kerala Minor Mineral Concessions Rule and Mines and Minerals (Regulation and Development). The petitioners submit that he has already compounded the offences and the vehicle has been released and therefore final report cannot be filed.

This Court is of the view that once the offence is compounded, no offences would lie against the petitioners. In that view of the matter all proceedings in C.C No.1722/2014 on the file of Judicial First Class Magistrate Court, Alathur will stand quashed.

sab
sd/-
A.MUHAMED MUSTAQUE, JUDGE