

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.SOMARAJAN

WEDNESDAY, THE 13th DAY OF MARCH 2024 / 23RD PHALGUNA, 1945

CRL.REV.PET NO. 1010 OF 2023

CRIME NO.453/2017 OF RAILWAY POLICE STATION, THIRUVANANTHAPURAM
AGAINST THE ORDER DATED 12.07.2023 IN CRL.M.P.No.1677/2023 IN ST
NO.20 OF 2020 OF CHIEF JUDICIAL MAGISTRATE, THIRUVANANTHAPURAM

REVISION PETITIONERS/ACCUSED:

- 1 B SUSHOBHAN, AGED 57 YEARS,
S/o BHASKARAN, BHASURAM STATION SUPERINTENDENT,
TRIVANDRUM CENTRAL, SHARKARA VILLAGE,
CHIRAYINKEEZHU P.O., TRIVANDRUM DISTRICT,
PIN - 695 304
- 2 VIKAS M.K., AGED 39 YEARS,
S/o T KUNCHAN, CHIEF TICKET INSPECTOR,
ERNAKULAM NORTH, RENJU VIHAR,
EDAYAPURAM, ALUVA,
ERNAKULAM DISTRICT, PIN - 683 101.
- 3 C.M. SUNIL KUMAR, AGED 44 YEARS,
S/o LATE N.N. MOHANAN, TICKET INSPECTOR,
ERNAKULAM NORTH, CHALIL HOUSE,
PALLIMETTAM, EROOR P.O., THIRIPUNITHURA,
ERNAKULAM DISTRICT, PIN - 682 306.
- 4 JAYACHANDRAN NAIR, AGED 30 YEARS,
CHIEF TICKET INSPECTOR, TRIVANDRUM CENTRAL,
S/o LATE PRABHAKARAN PILLAI, LAKSHMI SADANAM,
EDAVA P.O., THIRUVANANTHAPURAM, PIN - 695 311.
- 5 MANUMOHAN, AGED 23 YEARS,
S/o LATE A.P. MOHANAN, TICKET EXAMINER,
ERNAKULAM SOUTH, KUNDALA HOUSE,
THOTTAKATTUKARA, ALUVA,
ERNAKULAM DISTRICT, PIN - 683 108
- 6 C.S. ABHEESH, AGED 32 YEARS,
S/o LATE C.S. SASI, TICKET INSPECTOR,
ERNAKULAM NORTH, CHITTEZHATHU VEEDU,

NORTH THURAV, PUTHIKKADU, THRISSUR, PIN - 680 001.

- 7 V. SATHEESAN, AGED 54 YEARS,
S/o VELAYUDHAN CHETTIAR, CHIEF TICKET INSPECTOR,
TRIVANDRUM, TC 27/1192 (1), KRISHNANJANA,
VANCHIYOOR, THIRUVANANTHAPURAM, PIN - 695102.
- 8 K.M. ANILKUMAR, AGED 49 YEARS,
S/o LATE K KRISHNANKUTTY NAIR, RESERVATION
SUPERVISOR, KOLLAM, CHANDHINI, PEROOR NORTH, TKMC
P.O.,
KOTTARAKARA, KOLLAM, PIN - 691 005.
- 9 SAJI M.T., AGED 33 YEARS,
S/o LATE MANUEL, SENIOR COMMERCIAL CLERK,
BOOKING OFFICE, VARKALA, AZHAKATHU KIZHAKKATHIL
VEEDU, GURUNAGAR, KALLUMTHAZHAM P.O.,
KOLLAM, PIN - 691 004.
- 10 MANJO M.S., AGED 52 YEARS,
S/o LATE M SREEDHARA KURUP, RESERVATION
SUPERVISOR, VARKALA, ATTOOR VEEDU, PONGANADU,
KILIMANOOR, THIRUVANANTHAPURAM, PIN - 695 601.
- 11 RAJESH R., AGED 43 YEARS,
S/o RAMACHANDRAN NAMBOOTHIRI, RESERVATION CLERK,
NAGERCOIL, SRIRANGAM, KUTTIKADA P.O.,
MAYYANADU, KOLLAM, PIN - 691 001.
- 12 S. MADHU, AGED 36 YEARS,
S/o SADASIVAN PILLAI, TICKET INSPECTOR,
KOCHUVELI, DEVANGANAM, SRPM P.O., THAZHAVA,
KARUNAGAPALLI, KOLLAM, PIN - 690 539.
- 13 PRAVEEN G.R., AGED 35 YEARS,
S/o LATE GOPALAKRISHNAN NAIR, HEAD TICKET
EXAMINER, TRIVANDRUM CENTRAL, TC 53/2483,
MANAVIYAM,
J.P. LINE, NEMOM P.O.,
THIRUVANANTHAPURAM, PIN - 695 020.
- 14 VIBI M.L., AGED 37 YEARS,
S/o LATE LALAN, TICKET INSPECTOR,
ERNAKULAM SOUTH, MANJAKKA VEEDU,

MATTATHURKUNNU P.O., THRISSUR, PIN - 680 684.

15 N RAVIKUMAR, AGED 51 YEARS,
S/o G NARAYANA PILLAI, TICKET INSPECTOR,
ERNAKULAM SOUTH, 32/547,
PALLISSERI ROAD, PALARIVATTOM, KOCHI, PIN - 682
024.

BY ADV D.G.VIPIN

RESPONDENT/COMPLAINANT:

INSPECTOR, RAILWAY PROTECTION FORCE,
SOUTHERN RAILWAY, TRIVANDRUM CENTRAL,
PIN - 695 001

BY ADV MANU S.

BY PUBLIC PROSECUTOR SRI. SANAL P. RAJ

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR
HEARING ON 13.03.2024, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER

In connection with the offence punishable under Sections 145B, 146, 147 of the Indian Railways Act, 1989, a crime was registered by the Railway Protection force. The question of limitation has to be computed not from the date of taking cognizance, but from the date on which the criminal law was set in motion, either by registration of the FIR or by preferring a complaint as mandated under Section 190 Cr.P.C. Hence the contention that the time has to be counted from the date of cognizance cannot be accepted. The main offences alleged are under Section 146 of the Indian Railways Act. The maximum punishment provided is six months, so the period of limitation would come to one year as per Section 468 of the Cr.P.C. The occurrence report was submitted on 30.03.2017 and the incident had happened on 29.03.2017. By that time, crime was registered by

the railway police in the year 2017, that is within a period of one year. Necessarily, it will not stand hit by the period of limitation or Section 468 Cr.P.C. Hence, the criminal revision petition fails and is dismissed.

Sd/-

P . SOMARAJAN

JUDGE

DMR/-