

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 30TH JUNE 2009 / 9TH ASHADHA 1931

Crl.MC.No. 740 of 2009(B)

(CRIME NO. 38/2009 OF PEROORKADA POLICE STATION)

PETITIONERS/ ACCUSED NO. 2 & 3 :

- 1. AMBIKA DEVI ,D/O.RATNAMMA
MANNAMMOOLA, ASHRAMAM ROAD, NETTAYAM,
THIRUVANANTHAPURAM.**
- 2. PRASANNA KUMARI, D/O. RATNAMMA
PRASANTH NIVAS, ASHRAMAM ROAD, NETTAYAM,
THIRUVANANTHAPURAM.**

BY ADV. SRI. S. MUHAMMED HANEEFF

RESPONDENT / COMPLAINANT:

**STATE OF KERALA REP. BY SUB INSPECTOR
OF POLICE, PEROORKADA POLICE STATION
PEROORKADA, THIRUVANANTHAPURAM (CRIME NO. 38/2009)
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

R1 BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30/06/2009, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

M.SASIDHARAN NAMBIAR, J.

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Crl.M.C. No. 740 of 2009-B

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Dated this the 30th day of June, 2009.

O R D E R

This petition is filed under Section 482 of Code of Criminal Procedure to quash Annexure A1 FIR registered by Peroorkada police for the offences under Sections 366A and 376 read with Section 34 of Indian Penal Code as against the petitioners, who are the accused 2 and 3. The case of the petitioners is that on the allegations in Annexure A FIR no offence as against the petitioners is attracted.

2. As per order dated 16-3-2009 the investigating officer was directed to complete the investigation expeditiously.

3. Learned Public Prosecutor submitted that investigation is over and a final report was submitted to the Court on 10-6-2009.

4. In such circumstances, petition is dismissed with liberty to the petitioners to challenge the final order or to seek discharge.

**M.SASIDHARAN NAMBIAR
JUDGE**

dkr