

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

THURSDAY ,THE 31ST DAY OF JANUARY 2019 / 11TH MAGHA, 1940

Cr1.MC.No. 7119 of 2017

AGAINST THE ORDER/JUDGMENT IN CC 1333/2016 of JUDICIAL
MAGISTRATE OF FIRST CLASS , PATTAMBI

CRIME NO. 724/2015 OF Pattambi Police Station , Palakkad

PETITIONER/S:

ROHIT P.R.
AGED 29 YEARS, S/O.P.S.RAMACHANDRAN, MOOLAYIL
HOUSE, KUMMAMPARA, THOTTAKKARA P.O., OTTAPALAM.

BY ADVS.
SRI.S.RAJEEV
SRI.D.FEROZE
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM-682031. (CRIME NO.724/2015 OF
PATTAMBI POLICE STATION, PALAKKAD DISTRICT)
- 2 ADDL. RESPONDENT NO.2 - MOHANDAS,
AGED 48 YEARS
S/O LATE VELAYUDHAN, KOONATH HOUSE, NANNAMUKKU
SOUTH POST, NANNAMUKKU VILLAGE, PONNANI TALUK,
MALAPPURAM DISTRICT-679572.

(ADDL. RESPONDENT NO.2 IS IMPEADED AS PER
ORDER DATED 21.11.2017 IN CRL. MA.12428/2017 IN
CRL.MC.7119/2017

R1 BY SRI E C BINEESH-PP

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
31.01.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The petitioner is the accused in C.C.1333/2016 on the files of the court below. The offences alleged are punishable under Sections 406, 409 and 420 r/w Section 34 IPC.

2. The petitioner has filed this Cr1.M.C. praying for quashing the final report and further proceedings against the petitioner in the above case.

3. The petitioner has produced only the final report before this Court. No other document, including the statement of witnesses has been produced by the

petitioner. However, the entire documents, including the statement of the witnesses recorded by the police under Section 161 Cr.P.C., are available before the court below. In the said circumstances, it is only appropriate for the petitioner to approach the court below and plead for discharge. If the petitioner files any such petition for discharge, the court below shall consider all the contentions of the petitioner in accordance with law. In view of the above reason, I am not inclined to entertain this Cr1.M.C.

Accordingly, this Cr1.M.C. stands closed.

However, the petitioner shall be granted

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exemption from personal appearance before the court below on all posting dates except when his presence is necessary for the progress of the case, if the petitioner surrenders before the court below within 30 days and files application in this regard.

Sd/-
B. SUDHEENDRA KUMAR,
JUDGE

STK

//TRUE COPY//

//P.A. TO JUDGE//

APPENDIX OF Cr1.MC 7119/2017

PETITIONER'S/S EXHIBITS:

ANNEXURE 1- CERTIFIED COPY OF THE FINAL REPORT IN
CC.NO.1333/2016 ON THE FILE OF THE
JUDICIAL MAGISTRATE OF FIRST CLASS,
PATTAMBI.

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

STK