

Ajayan and Others Vs. State of Kerala

Ajayan and Others Vs. State of Kerala

SooperKanoon Citation : sooperkanoon.com/1012807

Court : Kerala

Decided On : Feb-01-2013

Judge : Hon'Ble Mr. Justice K.Ramakrishnan

Appellant : Ajayan and Others

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HON'BLE MR. JUSTICE K.RAMAKRISHNAN FRIDAY, THE 1ST DAY OF FEBRUARY 2013
12TH MAGHA 193 CrI.MC.No. 2677 of 2008 (D) -----

PETITIONERS/ACCUSED: ----- 1. AJAYAN, AGED 2 YEARS, S/O.GOPALAN, KALEELIL PADINJATTATHIL, VAYALIL VEEDU, MUNDAKKAL VILLAGE, ERAVIPURAM P.O.

2. MAHESH, AGED 1 YEARS, S/O.THAMPI, KUNNATHU PADINJATTATHIL VEEDU, MUNDAKKAL VILLAGE, ERAVIPURAM P.O.

3. SUJITH, AGED 2 YEARS, S/O.VENU, POCHAPPALY, THODIYIL VADAKKATHIL VEEDU.

4. VINOD, AGED 2 YEARS, S/O.BABU, THEKKETHURA THODIYIL MUNDAKKAL VILLAGE, ERAVIPURAM P.O. BY ADV. SRI.C.RAJENDRAN.

RESPONDENTS/COMPLAINANT: ----- 1. STATE OF KERALA, REP. THE SUB INSPECTOR OF POLICE, KOLLAM EAST POLICE

STATION, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. VISHNU, S/O.MANOHARAN, VALATHUNGAL CHERRY, ERAVIPURAM VILLAGE. BY THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 01-02-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Prv. CRL.M.C. NO.2677/2008-D: APPENDIX PETITIONERS' ANNEXURE: ANNEXURE A1: CERTIFIED COPY OF THE FIR IN CRIME NO.592/2008 OF THE KOLLAM EAST POLICE STATION. RESPONDENTS' ANNEXURES: NIL. //TRUE COPY// P.A. TO JUDGE Prv. K. RAMAKRISHNAN, J.

----- Criminal M.C. No.2677 of 2008
----- Dated this the 1st day of February, 2013
ORDER This is an application filed by accused Nos.1 to 4 in Crime No.592 of 2008 of Kollam East Police Station, to quash the F.I.R to the extent, that no offence under Section 324 and 27 Arms Act has been made out under Section 482 of Criminal Procedure Code. The counsel for the petitioner submitted that the allegations are not sufficient to attract those two offences. I am afraid that it is in the primitive stage to express any opinion regarding the same. The investigation is in the preliminary stage. So an opportunity can be given to the accused, to raise all the defence available including plea for discharge, at the appropriate stage in the lower court. At this stage, I do not find any reason to invoke Section 482 of Criminal Procedure Code to quash the proceedings. With the above observation, the application is closed. Sd/- K. RAMAKRISHNAN, (Judge) ss

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com