

Neptune vs State of Kerala

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Court : Kerala Orders

Decided On : Mar-21-2024

Judge : Honourable Mr.Justice P.G. Ajithkumar

Appeal No. : Crl.MC/4902/2022

Appellant : Neptune

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR
THURSDAY, THE 21ST DAY OF MARCH 2024 / 1ST CHAITHRA, 1946
CRIME NO.0879/2019 OF ALAPPUZHA SOUTH POLICE STATION,
ALAPPUZHA AGAINST THE ORDER/JUDGMENT DATED IN SC
NO.317 OF 2020 OF SPECIAL COURT UNDER POCSO ACT,
ALAPPUZHA PETITIONER/ACCUSED: NEPTUNE AGED 27 YEARS
S/O VARGHESE SIMON,THOLATH HOUSE, CHERTHALA NORTH,
NEAR MUTTAM CHURCH, ALAPUZZHA-688524, BY ADVS. SUNIL
KUMAR M S.SANDEEP (S-3458)(K/000873/2009) RAKESH
R.(K/00759/2022) RESPONDENTS/STATE & COMPLAINANT: 1 STATE
OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH

COURT OF KERALA, PIN - 682031 2 THE STATION HOUSE OFFICER
SOUTH POLICE STATION, ALAPUZHA,, PIN - 688532 SRI.
PRASANTH M.P - PP THIS CRIMINAL MISC. CASE HAVING COME
UP FOR ADMISSION ON 21.03.2024, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING: ..2..

P.G. AJITHKUMAR, J.

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Crl.M.C.No. 4902 of 2022
Dated this the 21st day of March, 2024

ORDER

This petition is filed under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash Annexure-A1 FIR, Annexure-A2 Final report and the proceedings in S.C.No. 317 of 2020 pending before the Special Court for the trial of offences under the POCSO Act, Alappuzha.

2. When the matter is taken up for consideration,

the learned counsel for the petitioner seeks permission to withdraw the petition without prejudice to the right of the petitioner to pursue his remedy before the trial court. Permission is accorded. The Crl.M.C. is dismissed as withdrawn without prejudice to the right of the petitioner to pursue his remedy before the trial court.
Sd/- P.G. AJITHKUMAR, JUDGE LU ..3.. APPENDIX OF CRL.MC 4902/2022
PETITIONER ANNEXURES : ANNEXURE A1 A CERTIFIED COPY OF FIR AND FIS IS PRODUCED ANNEXURE A2 A CERTIFIED COPY OF FINAL REPORT FILED BY 2ND RESPONDENT. ANNEXURE A3 CERTIFIED COPY OF 164 DEPOSITION RECORDED BY THE LEARNED JUDICIAL FIRST CLASS MAGISTRATE COURT II ALAPUZHA IN THE ABOVE CRIME. // True Copy // PA To Judge

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