

Kammad Kutty vs State of Kerala

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Court : Kerala Orders

Decided On : Feb-21-2023

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : Crl.MC/1495/2023

Appellant : Kammad Kutty

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN TUESDAY,
THE 21ST DAY OF FEBRUARY 2023 / 2ND PHALGUNA, 1944 CRL.MC
NO. 1495 OF 2023 Crime NO.130/2023 OF THENHIPALAM POLICE
STATION, MALAPPURAM PETITIONER/1ST ACCUSED: KAMMAD
KUTTY AGED 63 YEARS S/O ABOOHAJI MAFNAS PANAMBRA
THENHIPALAM MALAPPURAM DISTRICT, PIN - 676636 BY ADVS.
JAMSHEED HAFIZ K.K.NESNA T.S.SREEKUTTY
RESPONDENTS/STATE & DEFACTO COMPLAINANT:

1 STATE OF KERALA REPRESENTED BY THE PUBLIC
PROSECUTOR HIGH COURT OF KERALA, PIN - 682031 2
SURENDRAN V.P S/O NEELAKANDAN CHENAKKAL CALICUT

UNIVERSITY POST THENHIPALAM MALAPPURAM DISTRICT, PIN - 673635 BY ADV. M.C. ASHI,PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 21.02.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 21st day of February, 2023 This Criminal Miscellaneous Case is filed seeking to quash the F.I.R. and further proceedings in Crime No.130 of 2023 registered at the Thenhipalam Police Station against the petitioner and others alleging commission of offences punishable under Sections 341, 323, 506 read with Section 34 of the I.P.C. and Sections 3(1)(s) and 3(1)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Having heard the learned Counsel for the

petitioner and having gone through the available materials, I am of the opinion that it is too premature a stage for the petitioner to seek quashing of the crime. The petitioners remedy, at this stage, is to seek bail. Of course, if required, the petitioner can resort to the remedy under Section 482 Cr.P.C. at a later stage. The Criminal Miscellaneous Case is dismissed with the above observation. Sd/- V.G.ARUN JUDGE NB/21-2 APPENDIX OF CRL.MC 1495/2023 PETITIONER ANNEXURES ANNEXURE1 TRUE COPY OF THE FIR IN CRIME NO.130/2023 OF THENHIPALAM POLICE STATION DATED 12.02.2023 RESPONDENTS ANNEXURE: NIL TRUE COPY P.A. TO JUDGE

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