

Chanchal vs State of Kerala

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Court : Kerala

Decided On : Sep-27-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(Crl.)/457/2022

Appellant : Chanchal

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 27TH DAY OF SEPTEMBER 2023 / 5TH ASWINA,
1945 WP(CRL.) NO. 457 OF 2022 PETITIONERS: 1 CHANCHAL AGED
20 YEARS CHANCHAL, AGED 20 YEARS, D/O. SABU, KALARIKKAL
HOUSE, EDAKKADUPARAMBU, COMBARA, ERNAKULAM DISTRICT,
PIN - 682 018, PIN - 682018 2 SABU K X AGED 46 YEARS SABU K.X,
S/O. K.D. XAVIER, KALARIKKAL HOUSE, EDAKKADUPARAMBU,
COMBARA, ERNAKULAM DISTRICT., PIN - BY ADVS. SHERRY J.
THOMAS JOEMON ANTONY SYABILY P.S. RESPONDENTS: 1 STATE
OF KERALA REPRESENTED BY SECRETARY TO HOME
DEPARTMENT, SECRETARIATE, GROUND FLOOR,

THIRUVANANTHAPURAM - 695 001., PIN - 695001 2 THE DIRECTOR
GENERAL OF POLICE THE DIRECTOR GENERAL OF POLICE,
STATE POLICE HEADQUARTERS, VELLAYAMBALAM,
THIRUVANANTHAPURAM., PIN - 3 THE CITY POLICE
COMMISSIONER COMMISSIONER OFFICE,WALKWAY,MARINE
DRIVE,ERNAKULAM,KERALA, PIN - 682011 4 THE ASSISTANT
COMMISSIONER OF POLICE, TRAFFIC THE ASSISTANT
COMMISSIONER OF POLICE, TRAFFIC ASSISTANT COMMISSIONER
OFFICE, ERNAKULAM NORTH, ERNAKULAM, KERALA., PIN - 682018
5 THE STATION HOUSE OFFICER, ERNAKULAM TOWN NORTH
POLICE STATION, KACHERIPADY, ERNAKULAM. THE STATION
HOUSE OFFICER, ERNAKULAM TOWN NORTH POLICE STATION,
KACHERIPADY, ERNAKULAM, PIN - BY ADV PUBLIC PROSECUTOR
OTHER PRESENT: SREEJA. V PP THIS WRIT PETITION (CRIMINAL)
HAVING COME UP FOR ADMISSION ON 27.09.2023, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:
P.V.KUNHIKRISHNAN ----- Dated this
the 27th day of September, 2023

JUDGMENT

This writ petition (criminal) is filed with the following prayers:- i) Issue a writ of mandamus, any other writ, appropriate order or direction, directing the 5th Respondent Station House Officer to conduct thorough investigation and find out the offending vehicle at the earliest. ii) Issue a writ of mandamus, any other writ, appropriate order directing the Respondent 2 to 4 to monitor investigation and trace out the vehicle and conduct proper investigation. iii) Provide cost of the proceedings. (SIC)

2. Today, when the matter came up for consideration,

the learned Public Prosecutor submitted that the final report in Crime No.357/2022 of Ernakulam North Police Station is filed before the Additional Chief Judicial Magistrate Court, Ernakulam on 23.08.2023. If that is the case, the petitioners

have to take appropriate steps, in accordance with law, if they are aggrieved by the investigation. Granting liberty to the petitioners to take appropriate steps in accordance with law, if they are aggrieved by the investigation, this writ petition is closed. Sd/- P.V.KUNHIKRISHNAN JUDGE bng APPENDIX OF WP(CRL.) 457/2022 PETITIONER EXHIBITS Exhibit P1 THE TRUE COPY OF FIRST INFORMATION REPORT DATED 6-3-2022. Exhibit P 2 THE TRUE COPY OF THE PETITION IS SENT TO THE CHIEF MINISTER DATED 13-4-2022. Exhibit P3 THE TRUE COPY OF THE PETITION TO THE WOMEN'S COMMISSION DATED 13-4-2022 Exhibit P4 . THE TRUE COPY OF THE LETTER DATED 21- 4- 2022 SUBMITTED BEFORE THE CHAIRMAN OF LEGISLATIVE PETITION COMMITTEE.

Exhibit P5 THE TRUE COPY OF THE DISCHARGE SUMMARY

OF THE 1ST PETITIONER DATED 11-3-2022.

Exhibit P5A THE TRUE COPY OF THE DISCHARGE SUMMARY

OF THE 2NDPETITIONER DATED 11-3-2022.

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