

Sumesh, vs State of Kerala,

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Court : Kerala

Decided On : Mar-25-2022

Judge : Honourable Dr. Justice Kauser Edappagath

Appeal No. : Crl.MC/426/2022

Appellant : Sumesh,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
FRIDAY, THE 25TH DAY OF MARCH 2022 / 4TH CHAITHRA, 1944
CRL.MC NO. 426 OF 2022 CRIME NO.620/2015 OF Kazhakkuttom
Police Station, Thiruvananthapuram IN SC 1351/2015 OF
ADDL.SESIONS COURT(POCSO), ATTINGAL PETITIONER:
SUMESH, AGED 29 YEARS S/O.SURESH KUMAR, SURESH
BHAVAN, NEAR TSC HOSPITAL, THUNDATHIL, KULATHOOR,
THIRUVANANTHAPURAM. BY ADVS. R.SUNIL KUMAR A.SALINI LAL
RESPONDENT/COMPLAINANT/DEFACTO COMPLAINANT: 1 STATE
OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, ERNAKULAM. 2 XXX SMT. M.K.

PUSHPALATHA, SR. PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 25.03.2022, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -:2:-

ORDER

Dated this the 25th day of March, 2022 This Crl.M.C has been filed to quash all further proceedings in S.C.No.1351/2015 on the files of the Additional Sessions Court (POCSO), Attingal

2. The petitioner is the accused. The offences alleged against him are under Sections 354(A)(ii), 354(B), 366, 376 of IPC and 66 E of the IT Act.

3. Having heard the learned counsel for the petitioner and the

learned Public Prosecutor, I am of the view that this Crl.M.C can be disposed of, with liberty to the petitioner to file an application for discharge at the court below. The learned Judge shall dispose of the said application, if any filed, in accordance with law. The petitioner is at liberty to take up all the contentions raised in this Crl.M.C in the application for discharge. The personal appearance of the petitioner at the court below is dispensed with till the discharge application is disposed of by the learned Judge. The Crl.M.C is disposed of. Sd/- DR. KAUSER EDAPPAGATH JUDGE kp True copy P.A. To Judge -:3:- APPENDIX OF CRL.MC 426/2022 PETITIONER ANNEXURES Annexure 1 CERTIFIED COPY OF FIR IN 620/2015 OF KAZHAKUTTAM POLICE STATION. Annexure 2 CERTIFIED COPY OF THE 164 STATEMENT IN Annexure 3 CERTIFIED COPY OF THE FINAL REPORT IN CRIME NUMBER 620/2015 OF KAZHAKUTTAM POLICE STATION. Annexure 4 TRUE COPY OF THE REPORT OF THE DOCTOR DATED 08.06.2015.

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