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Saranjith vs State of Kerala

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Court : Kerala

Decided On : Jan-24-2022

Judge : Honourable Dr. Justice Kauser Edappagath

Appeal No. : Crl.MC/5673/2021

Appellant : Saranjith

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH MONDAY, THE 24TH DAY OF JANUARY 2022 / 4TH MAGHA, 1943 AGAINST THE ORDER/JUDGMENT IN CC 126/2020 OF CHIEF JUDICIAL MAGISTRATE ,THRISSUR

(CRIME NO.1335/2020 DATED 20.10.2020 OF THRISSUR WEST POLICE STATION, THRISSUR DISTRICT). PETITIONERS/ACCUSED: 1 SARANJITH AGED 32 YEARS S/O. ANANDAKRISHNAN, EDATHARA HOUSE, POONKUNNAM, THRISSUR WEST, THRISSUR 2 ANANTHAKRISHNAN AGED 61 YEARS EDATHARA HOUSE, POONKUNNAM, THRISSUR WEST, THRISSUR 3 SHEEBA AGED 57 YEARS WIFE OF ANANDAKRISHNAN, EDATHARA HOUSE, POONKUNNAM, THRISSUR WEST, THRISSUR BY ADVS.

S.VINOD BHAT ANAGHA LAKSHMY RAMAN GREESHMA CHANDRIKA.R RESPONDENTS/STATE & DEFACTO COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNNAKULAM.

2 SNEHA AGED 27 YEARS D/O. SUBHASH, PLANGATTU HOUSE, THOZHIYOOR DESOM, POOKKOD, THRISSUR DISTRICT, PIN 680 505 OTHER PRESENT: SMT T V NEEMA -SR PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24.01.2022, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

This Crl.M.C. has been preferred to quash the Final report in C.C.No.126/2020 on the file of the Chief Judicial Magistrate Court, Thrissur.

2. The petitioners are the accused. The second respondent is the defacto complainant.

3. The offence alleged against the petitioners are under Section 498 A of IPC.

4. The learned counsel for the petitioners, Sri. S.Vinod

Bhat, submits that a reading of the FIS together with the materials collected during investigation would show that no offence has been made out against the petitioners.

5. Having heard the learned counsel for the petitioners,

Sri. S.Vinod Bhat and also the learned Senior Public Prosecutor Smt. T.V. Neema, I am of the view that, this Crl.M.C can be disposed of, giving liberty to the petitioners to file an application for discharge before the learned Magistrate. The learned Magistrate shall dispose of the application if any, filed in accordance to law. The petitioners are free to take all the pleas raised in this Crl.M.C before the learned Magistrate in the application for discharge. Personal appearance of the petitioners before the Magistrate is dispensed with until the disposal of the

application for discharge. The Crl.M.C is disposed of. Sd/- DR. KAUSER EDAPPAGATH JUDGE al/- APPENDIX OF CRL.MC 5673/2021 PETITIONER ANNEXURES Annexure A1 COPY OF THE FIR NO. 1335 OF 2020 OF THRISSUR CITY WEST POLICE STATION, THRISSUR Annexure A2 COPY OF THE COMPLAINT DATED 22-10-2020 Annexure A3 COPY OF THE TAX INVOICE OF PURCHASE OF SCOOTER Annexure A4 COPY OF THE CERTIFICATE OF REGISTRATION SCOOTER KL-08-BR 8731 Annexure A5 COPY OF THE MARRIAGE CERTIFICATE DATED 27-09-2017 Annexure A6 COPY OF THE JUDGMENT DATED 11-10-2021 IN CRL.M.C 482/2021 OF THE HIGH COURT OF KERALA. Annexure A7 CERTIFIED COPY OF FINAL REPORT DATED 03- 12-2020 NO 1335/2020 OF THRISSUR WEST POLICE STATION, THRISSUR Annexure A8 CERTIFIED COPY OF THE STATEMENT OF 2ND RESPONDENT AND OTHERS.

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