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Binoy vs the State of Kerala

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Court : Kerala Orders

Decided On : Feb-23-2021

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : Crl.MC/2294/2019

Appellant : BINOY

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN TUESDAY, THE 23RD DAY OF FEBRUARY 2021 / 4TH PHALGUNA, 1942 Crl.MC.No.2294 OF 2019(F) CC 297/2018 OF JUDICIAL MAGISTRATE OF FIRST CLASS, KODUNGALLUR CRIME NO.1506/2017 OF VALAPPAD POLICE STATION, THRISSUR PETITIONER/SOLE ACCUSED: BINOY, AGED 36 YEARS, S/o SANKURU, NJATTUVETTY HOUSE, KALLETTUMKARA P.O., CHALAKUDY TALUK, THRISSUR DISTRICT BY ADV. SRI.N.L.BITTO RESPONDENTS/STATE OF KERALA:

1 THE STATE OF KERALA, REP.BY THE SUB INSPECTOR OF POLICE, VALAPPAD POLICE STATION, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM-682 031 2 MANAPPURAM FINANCE LTD., VALAPPAD BRANCH, KODUNGALLORE TALUK, THRISSUR DISTRICT, REP. BY ASSI.MANAGER (SECURITY DIVISION), MOTHIRAM, AGED 43, S/o NAGARAJ, NO.5, SREE GOKULAM FLAT, VINAYAKAPURAM, CHENNAI, TAMIL NADU-600 003 R2 BY ADV. SRI.R.BINDU (SASTHAMANGALAM) R1 BY PUBLIC PROSECUTOR SRI. RAMESH CHAND

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 23.02.2021, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Crl.M.C.No.2294 of 2019 2

ORDER

The sole accused came up against the crime registered and the final report submitted for the offence under Sections 408, 418 and 420 IPC. It is in connection with the supply of 3500 CCTV camera on the basis of purchase order placed by the defacto complainant to the supplier company who submitted the

lowest quotation in that behalf at

officers under the company so as to get huge amount by way of commission and thereby obtained illegal enrichment by causing heavy damages to the company. The final report submitted prima facie would attract the

offence alleged. As such, there is no reason for Crl.M.C.No.2294 of 2019 3 interfering with the final report under Section 482 Cr.P.C. Crl.M.C. is hence dismissed. Sd/- P.SOMARAJAN JUDGE DMR/- Crl.M.C.No.2294 of 2019 4 APPENDIX PETITIONER'S ANNEXURES: ANNEXURE-I A TRUE COPY OF FIRST INFORMATION REPORT DATED 12/10/2016 IN CRIME NO.1506 OF 2016 OF VALAPPAD POLICE STATION ANNEXURE-II A TRUE COPY OF CHARGE SHEET SUBMITTED IN CRIME NO.1506 OF 2016 OF VALAPPAD

POLICE STATION DATED 20/12/2016 RESPONDENTS' ANNEXURE: NIL // TRUE COPY // P.A. TO JUDGE

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