

## Muhammed Vs State Of Kerala

**Court:** High Court Of Kerala

**Date of Decision:** Jan. 14, 2025

**Acts Referred:** Indian Penal Code, 1860 " Section 109, 120B, 143, 147, 148, 149, 308, 323, 326, 341

**Hon'ble Judges:** Dr. Kauser Edappagath, J

**Bench:** Single Bench

**Advocate:** P.M.Rafeek, K.A.Abidali, Radhika V.R., P.Narayanan

**Final Decision:** Disposed Of

### Judgement

Dr. Kauser Edappagath, J

1. Heard Sri. P.M. Rafeek (Pattam), the learned counsel for the petitioner and Sri. P. Narayanan, the learned Special Public Prosecutor.

2. The petitioner is the defacto complainant in Crime No.157/2009 of Muvattupuzha Police Station. The crime was registered alleging offences

punishable under Sections 143, 147, 148, 341, 323, 326 and 308 read with 149 of the IPC. There are altogether eight accused. After investigation, the

police filed Ext.P2 final report against all the accused except accused No.2, since he was absconding throughout.

3. After Ext.P2 final report, the petitioner preferred Ext.P5 representation before the 3rd respondent seeking further investigation. It is alleged that the

investigation was not conducted properly and the offences under Section 120B and 109 of IPC were not incorporated in the final report.

4. After filing of the writ petition, accused No.2 was arrested. The investigating officer sought permission for conducting further investigation in view

of the arrest of the 2nd accused. It is submitted by the learned Special Prosecutor Sri. P. Narayanan that now the further investigation is going on.

The investigating officer is directed to take into account the grievance highlighted by the petitioner in Ext.P5 during further investigation and file final

report in accordance with law.

The writ petition is disposed of as above.