
(2022) 10 KL CK 0001

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 6737 Of 2022

Colonel S. N. Swamy

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 06-10-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 161, 482

Protection of Children from Sexual Offences Act, 2012 — Section 7, 8, 9(1), 9(p), 10

Citation : (2022) 10 KL CK 0001

Hon'ble Judges : Dr Kauser Edappagath, J

Bench : Single Bench

Advocate : M.R.Hariraj, Viswajith C.K , Gisha G. Raj, Rejivue K.C., Vidya A.K,
Alina Anna Kose, Thanuja Roshan, T.V. Neema

Final Decision : Dismissed

Judgement

Dr Kauser Edappagath, J

1. This CrI.M.C. has been filed to quash all further proceedings in Crime No.649 of 2022 of Thrissur West Police Station.

2. The offence is alleged under Section 7 read with Sections 8, 9(1) and 9(p) read with Section 10 of the POCSO Act.

3. Heard Sri. Hariraj Madhav, the learned counsel for the petitioner and Smt. T.V. Neema, the learned Senior Public Prosecutor for the State.

I went through the First Information Statement of the victim as well as the statement of the witnesses recorded under Section 161 of the Cr.P.C. There are ingredients to attract the offences alleged against the petitioner. When prima facie case is made out, the jurisdiction vested with this Court under Section 482 of Cr.P.C. cannot be invoked. Hence the CrI.M.C. is dismissed.