

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 27TH DAY OF DECEMBER 2013/6TH POUSHA, 1935

CrI.MC. No. 6586 of 2013 ()

(IN CRIME NO. 1305/2013 OF PERAMANGALAM POLICE STATION, TRISSUR)

PETITIONER(S)/ACCUSED:

**SHYJU, AGED 27 YEARS,
S/O. MOHANAN, NAMBARATH HOUSE,
VELLAPAYA P.O, THRISSUR DISTRICT.**

BY ADV. SRL.M.B.PRAJITH.

RESPONDENT(S)/COMPLAINANT:

- 1. SREEJITH, AGED 35 YEARS,
S/O. SREEDHARAN, MADACHIMPARA HOUSE,
WADAKKACHERY P.O, MANGALAM DESOM,
THRISSUR DISTRICT - 679 531.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R1 BY ADV. SRLAJIT THOMAS

R2 BY PUBLIC PROSECUTOR SHRI P.S.SAJEEV

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27-12-2013,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

CrI.MC. No. 6586 of 2013 ()

APPENDIX

PETITIONER'S ANNEXURES:-

A1:- CERTIFIED COPY OF THE FIR OF CRIME NO.1305 OF 2013 OF PERAMANGALAM POLICE STATION PENDING ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KUNNAMKULAM.

AII:- AFFIDAVIT FILED BY THE FIRST RESPONDENT.

RESPONDENTS' ANNEXURES:- NIL.

/True Copy/

P.A to Judge

KRJ

A.V.RAMAKRISHNA PILLAI, J.

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Crl.M.C No.6586 of 2013

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Dated this the 27th day of December, 2013

ORDER

The petitioner is the accused in Crime No.1305 of 2013 of Peramangalam Police Station registered under Sections 452 and 326 I.P.C. The first respondent is the injured.

2. The prosecution case was that the petitioner along with his sister attacked the first respondent, the brother in law of the petitioner and caused grievous injuries to him at their residence.

3. The petitioner submits that the dispute between the petitioner and the first respondent has been settled amicably. To prove that, the first respondent has filed an affidavit and he was duly represented by a counsel of his choice.

4. Heard the learned counsel for the petitioner, the learned Public Prosecutor and the learned counsel appearing for the first respondent.

5. Though the offence alleged is non compoundable, as the first respondent has settled the matter with the petitioner, the continuation of the prosecution against the petitioner would be a futile exercise. Therefore, this Court of the definite view that this petition can be allowed.

Accordingly, the Crl.M.C is allowed. The F.I.R in Crime No.1305 of 2013 of Peramangalam Police Station, against the petitioner who is the sole accused shall stand quashed and the further proceedings against him shall stand dropped.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

krj

/True Copy/

P.A to Judge