

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Cr1.MC.No. 7457 of 2014 ()

CC 1/2011 of J.M.F.C.-II, KOLLAM
CRIME NO. 1897/2010 OF KOLLAM EAST POLICE STATION

PETITIONER(S)/ACCUSED 1-5 :-

1. SHAHUL HAMEED, AGED 22 YEARS
S/O.SHAHUDEEN, AZIYAMANZIL, KUREEPPALLY CHERRY
THRIKKOVILVATTOM VILLAGE, KOLLAM.
2. ANOOP, AGED 22 YEARS
S/O.AMARENDRADAS, ARCHANA HOUSE, CHAKIRIKKADA
BABUJI NAGAR, VALATHUNGAL CHERRY, ERAVIPURAM VILLAGE
KOLLAM.
3. KARTHIK, AGED 22 YEARS
S/O.NAKULAN, CHARUVILA VEEDU, PUNTHALATHAZHAM NAGAR
PUNTHALATHAZHAM CHERRY, VADAKKEVILA VILLAGE, KOLLAM.
4. PEEYUSH R.NAIR, AGED 22 YEARS
S/O.RAJASEKHARAN NAIR, T.K.HOUSE, GANDHI NAGAR-218
AYATHIL CHERRY, VADAKKEVILA VILLAGE, KOLLAM.

BY ADV. SRI.V.RENJITH KUMAR

RESPONDENT(S)/STATE AND DEFAC TO COMPLAINANT :-

1. STATE OF KERALA REPRESENTED BY THE SUB INSPECTOR OF POLICE
KOLLAM EAST POLICE STATION, KOLLAM
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
2. DINESH PRADEEP, AGED 25 YEARS
S/O.PRADEEP KUMAR, ANUGRAHA-II, CHIRAKKARA P.O.
IDAVATTOM CHERRY, PRIPPALLY VILLAGE, KOLLAM - 691 578.

R2 BY ADV. SRI.K.S.HARIDAS

R1 BY PUBLIC PROSECUTOR SRI.R.GITHESH

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS :-

ANNEXURE 1 : TRUE COPY OF THE FIR IN CRIME 1897/2010 OF KOLLAM
EAST POLICE STATION, KOLLAM.

ANNEXURE 2 : TRUE COPY OF THE FINAL REPORT IN CRIME No. 1897/2010
OF KOLLAM EAST POLICE STATION, KOLLAM.

ANNEXURE 3 : THE AFFIDAVIT EXECUTED BY R2 DT.24-12-2014.

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

P.BHAVADASAN, J.

Crl.M.C. No.7457 of 2014

Dated this the 30th day of December 2014

O R D E R

This is a petition filed under Sec.482 of the Code of Criminal Procedure to quash all further proceedings in C.C.No.1 of 2011 pending before JFCM Court-II, Kollam.

2. The petitioners are accused Nos.1 to 4 in Crime No.1897 of 2010 of Kollam East Police Station for having committed offences punishable under Secs.341, 294(b) and 323 r/w Sec.34 of IPC.

3. It is unnecessary to go into the details of the case for the simple reason that the de facto complainant has filed an affidavit stating that he is no longer interested in prosecuting the matter and he has no further grievance in the matter. He is arrayed as 2nd respondent before this Court. He is represented by counsel, who accepts the affidavit produced by the petitioners and stands by the statements contained therein.

4. In the light of the aforesaid stand taken by the de facto complainant and since no public issues are involved in the

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matter, there is no necessity to proceed further with the matter.

Hence, this petition is allowed. All further proceedings against these petitioners in C.C.No.1 of 2011 pending before JFCM Court-II, Kollam shall stand quashed.

Sd/-
P.BHAVADASAN, JUDGE.

Jvt