

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

Cr1.MC.No. 6 of 2015

CRIME NO. 1136/2014 OF NEDUMANGAD POLICE STATION,
THIRUVANANDAPURAM

PETITIONER/ACCUSED:

SHIBU @ VENU, AGED 34 YEARS,
S/O.MOHANAN NAIR
CHANDRAMANGALAM LEKSHAM VEEDU NO.20, ANAD P.O,
NEDUMANGAD, THIRUVANANTHAPURAM-695541.

BY ADV. SRI.A.S.SHAMMY RAJ

RESPONDENTS:

1. STATE OF KEREALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. RAJENDRAN, AGED 55 YEARS,
S/O.KUTTAN, RAJESH BHAVAN, CHANDRAMANGALAM,
ANAD P.O., NEDUMANGAD, THIRUVANANTHAPURAM-695541.

R2 BY ADV. SRI.K.RAJESH KANNAN

R1 BY SR. PUBLIC PROSECUTOR SMT.SAREENA GEORGE.P

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
09-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 6 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE 1: COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.1136/2014 OF NEDUMANGADU POLICE STATION, THIRUVANANDAPURAM.

ANNEXURE 2: AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.6 of 2015

Dated this the 9th day of January, 2015

O R D E R

The petitioner herein is the sole accused in Crime No.1136/2014 of the Nedumangadu Police Station, registered under Sections 341, 294(b), 323, 447 and 308 of the Indian Penal Code. This crime was registered on the complaint of one Rajendran. The petitioner now seeks orders quashing the prosecution as against him on the ground that he and the defacto complainant have amicably settled the dispute out of court. The defacto complainant Rajendran is the second respondent in this proceeding. He has filed affidavit to the effect that he has settled the whole dispute with the accused, and he has no complaint or grievance now. I am well satisfied that there is a real and genuine settlement between the parties, and I find that continuance of prosecution in such a situation will not serve any purpose, other than wasting the precious time of the court.

In the result, this Criminal Miscellaneous Case is allowed. The FIR and the further proceeding in Crime No.1136/2014 of the Nedumangadu Police Station will stand quashed under Section 482 of the Code of Criminal Procedure.

**P.UBAID
JUDGE**