

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

Crl.MC.No. 7 of 2015 ()

**IN CC 254/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM
CRIME NO. 94/2013 OF VENGARA POLICE STATION, MALAPPURAM**

PETITIONER(S)/PETITIONER/ACCUSED:

**ABU TAHIR AGED 27 YEARS
S/O. KUNJALIKKUTY, PANDIKADAVATH HOUSE, KARATHODU
URAKOM, VENGARA, MALAPPURAM DISTRICT.**

BY ADV. SRI.P.SAMSUDIN

RESPONDENT(S)/RESPONDENTS/STATE AND DE-FACTO COMPLAINANT:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM-682031 (IN CRIME NO. 94/2013 OF VENGARA
POLICE STATION IN MALAPPURAM DISTRICT).**
 - 2. ANWAR SADATH, AGED 37 YEARS
S/O. ABDULLAH, PARUTHIKKUNNAN HOUSE
OORAKOM MELMURI P.O.-679 324, KATEKKAD, KARATHODU
VENGARA, MALAPPURAM DISTRICT.**
- R2 BY ADV. SRI.K.C.ANTONY MATHEW
R1 BY PUBLIC PROSECUTOR SMT. P. MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 06-01-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 7 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1- TRUE COPY OF THE FINAL REPORT IN CRIME NO.94/2013 OF VENGARA POLICE STATION.

ANNEXURE A2- TRUE COPY OF THE AFFIDAVIT DATED 22-12-2014 SWORN IN BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE
sab

P.UBAID, J.

Crl. M.C No. 7 of 2015

Dated this the 6th day of January, 2015.

O R D E R

The petitioner herein is the sole accused in C.C No.254/2013 of the Judicial First Class Magistrate Court, Malappuram. Crime in the case was registered under Sections 341, 323, 324 and 506(i) IPC on the complaint of one Anwar Sadath. He is the second respondent in this proceeding. The petitioner seeks orders quashing the prosecution on the ground that he and Anwar Sadath have come to terms amicably out of court. The de facto complainant Anwar Sadath has filed affidavit to the effect that he has settled the dispute with the accused, and he has no grievance or complaint. I find that the parties have really come to terms amicably, and 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 petition is allowed. The prosecution against the petitioner in C.C No.254/2013 of the Judicial First Class Magistrate Court, Malappuram will stand quashed under Section 482

Cr.P.C. Accordingly, he will stand released from prosecution, and the bail bond, if any, executed by him will stand discharged.

P.UBAID,
JUDGE

sab