

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Crl.MC.No. 16 of 2015

CC 1139/2013 JUDICIAL FIRST CLASS MAGISTRATE COURT - I, HOSDRUG
CRIME NO. 937/2012 OF CHANDERA POLICE STATION, KASARGOD
.....

PETITIONER(S)/ACCUSED 1 TO 7:

1. P IBRAHIM, AGED 37 YEARS,
S/O.MUHAMMED KUNHI, RESIDING AT PALLICHUMADA,
THEKKEPPURAM, PADANNA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
2. G.S.MUHAMMED SAID, AGED 37 YEARS,
S/O.AMEERALI, RESIDING AT G.S.HOUSE, THEKKEPPURAM,
PADANNA VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.
3. ABDUL HAKKEEM, AGED 33 YEARS,
S/O.ABDUL KHADER, RESIDING AT N.B.S HOUSE,
THEKKEPPURAM, PADANNA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
4. ISSUDHEEN M., AGED 28 YEARS,
S/O.SHAMSUDEEH, RESIDING AT KMS HOUSE, KAVUMTHALA,
PADANNA VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.
5. K.M.C.ASHARAF, AGED 38 YEARS,
S/O.MUHAMMED, RESIDING AT K.M.C HOUSE,
KOTTAYAM THAR ROAD, KANTHILOD, PADANNA VILLAGE,
HOSDURG TALUIK, KASARAGOD DISTRICT.
6. V.K.IBRAHIM @ SOOPY IBRAHIM, AGED 40 YEARS,
S/O.T.V.ABDULLA, RESIDING AT KUNHAMINA HOUSE,
VADAKKEPPURAM, PADANNA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
7. PASHARAF @ KHALI ASHARAF, AGED 32 YEARS,
S/O.ABDUL RAZAK, RESIDING AT K.B.M HOUSE, THEKKEPPURAM,
PADANNA VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.

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* **ADDITIONAL R8 IMPEADED**

**8. KHAMRUDEEN P.K.,
ABDULLAHAJI, AGED 23 YAERS, RESIDING AT SUHRA MANZIL,
THEKKEPPURAM, HOSDURG TALUK, KASARAGOD SIATRICK,**

* **IS IMPEADED AS PER ORDER DATED 15.06.2015 IN CRL.M.A.NO.5663/2015

BY ADV. SRI.T.MADHU**

RESPONDENT(S)/STATE:

**1. THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
CHANDERA POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

**2. T.K.M.NOORJAHAN,
W/O.ABDUL RAZAK, RESIDING AT MISRIYA MANZIL,
KAVUMTHALA, PADANNA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT - 671 312.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SMT.BINDUMOL JOSEPH**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
22-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 16 of 2015

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A1: THE TRUE CERTIFIED COPY OF THE FIR IN CRIME NO.937/2012 OF
CHANDERA POLICE STATION.**

**ANNEXURE A2: THE TRUE CERTIFIED COPY OF THE FINAL REPORT IN CRIME
NO.937/2012 OF CHANDERA POLICE STATION.**

**ANNEXURE A3; THE AFFIDAVIT DATED 10/12/2014 SWORN IN BY THE
3RD RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

Crl.M.C. No.16 of 2015

Dated this the 22nd day of June 2015

O R D E R

Petition filed under Sec.482 Cr.P.C.

2. The petitioners are accused in C.C. No.1139 of 2013 on the file of the Judicial First Class Magistrate Court-I, Hosdurg. They are charged with having committed the offences under Secs.143, 147, 148, 427 and 447 read with Sec.149 of Indian Penal Code. It is submitted that the matter has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioners and for the 2nd respondent and the learned Public Prosecutor.

4. I have perused the affidavit filed by the 2nd respondent who is the injured in this case. I am satisfied that the allegation is true. No public interest is involved in this case. This is a fit case to invoke the jurisdiction of this Court under Sec.482 Cr.P.C. to quash the proceedings in the criminal case.

In the result, this Crl.M.C. is allowed. The proceedings in C.C. No.1139 of 2013 on the file of the Judicial First Class Magistrate Court-I, Hosdurg are quashed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge