

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. 29 of 2015 ()

**CC.NO. 1007/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, MANJERI
CRIME NO. 504/2013 OF MANJERI POLICE STATION , MALAPPURAM DISTRICT**

PETITIONER/ACCUSED:

**MUHAMMED ALI, S/O. ABDULLA, AGED 24 YEARS,
RESIDING AT THARAMANNIL HOUSE,
NSS COLLEGE POST, MANJERI, MALAPPURAM.**

**BY ADVS.SRI.K.M.JAMALUDHEEN
SMT.LATHA PRABHAKARAN**

RESPONDENT(S)/DE-FACTO COMPLAINANT & STATE:

- 1. NAZAR.T.K., S/O. KASIM, AGED 44 YEARS,
RESIDING AT THAKIDIYIL HOUSE, MULLAMPARA,
MANJERI, MALAPPURAM.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
(INSTRUCTION THROUGH THE SUB INSPECTOR OF POLICE,
MANJERI, POLICE STATION, MALAPPURAM DISTRICT.)**

**R1 BY ADV. SMT.V.CARCHANA
R2 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:**

sts

Crl.MC.No. 29 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX A1 - CERTIFIED COPY OF THE FIR AND FIS IN CRIME 504/2013 OF MANJERI
POLICE STATION DT. 19.5.13.**

**ANNEX A2 - CERTIFIED COPY OF THE CHARGE IN CRIME NO. 504/2013 OF
MANJERI POLICE STATION.**

**ANNEX A3 - TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE
PETITIONER AND 1ST RESPONDENT.**

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.S.TO.JUDGE

sts

P.UBAID, J.

Crl.M.C. No. 29 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.1007/2013 of the Judicial First Class Magistrate Court-I, Manjeri. The crime in this case was registered under Sections 323,324 & 341 of I.P.C. on the complaint of one Nazar. The petitioner now seeks orders quashing the prosecution on the ground that he and the de facto complainant Nazar have come to terms amicably out of Court. The de facto complainant is the first respondent in this proceeding. He 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 continuance of the prosecution in such a situation will not serve any purpose other than wasting the precious time of the Court. Nobody will support the prosecution, if the case goes to trial.

In the result, the Crl.M.C is allowed. The prosecution against the petitioner in C.C. No. 1007/2013 of the Judicial

First Class Magistrate Court-I, Manjeri will stand quashed under Section 482 of the Code of Criminal Procedure. Accordingly, the petitioner will stand released from the prosecution and the bail bond, if any, executed by him will stand discharged.

Sd/-

P.UBAID, Judge.

dpk

/True copy/ PS to Judge.