

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

Crl.MC.No. 73 of 2015

**CC 850/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I, PERINTHALMANNA.
CRIME NO. 310/2013 OF PERINTHALMANNA POLICE STATION, MALAPPURAM.**
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PETITIONER(S)/ACCUSED:

- 1. SHEMIM, S/O.ABDU, AGED 23 YEARS,
KALATHIL VEEDU, CHERUKARA,
PERINTHALMANNA.**
- 2. MANZOOR, S/O.MOIDEEN, AGED 22 YEARS,
MADATHIL VEEDU, CHERUKARA,
PERINTHALMANNA.**
- 3. ASHRAF, S/O.POKKAR, AGED 23 YEARS,
KURICHIPPALLATH, EDALATH HOUSE,
CHERUKARA, PERINTHALMANNA.**

**BY ADVS.SRI.C.M.KAMMAPPU
SRI.P.A.PETER
SMT.TINTU GEORGE**

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT/INJURED:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031,
(THROUGH STATION HOUSE OFFICER,
PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT).**
- 2. SAINUL ABID E., S/O.ABOOBACKER, AGED 23 YEARS,
EYYAMMADA HOUSE, PULINKAVU,
CHERUKARA P.O., PERINTHALMANNA - 679 026.**

BY PUBLIC PROSECUTOR SMT.P.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE A : TRUE COPY OF FINAL REPORT IN CRIME NO.310/2013 OF
PERINTHALMANNA POLICE STATION.**

RESPONDENT'S ANNEXURES: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P. UBAID, J.

Crl.M.C. No. 73 of 2015

Dated this the 7th day of January, 2015

O R D E R

The petitioners herein are the three accused in C.C.No.850/2013 of the Judicial First Class Magistrate Court-I, Perinthalmanna. Crime in the said case was registered under Sections 341, 323 and 324 IPC read with 34 IPC, on the complaint of one Sainul Abid. The petitioners seek orders quashing the prosecution, on the ground that they and Sainul Abid have come to terms amicably out of court. The defacto complainant, Sainul Abid is the 2nd respondent in this proceeding. He has filed affidavit to the effect that he has settled the dispute with the accused, and that he has no grievance or complaint. I am well satisfied that there is a real settlement between the parties, and in such a situation, continuance of prosecution will not serve any purpose because nobody will support the prosecution, if the case goes to trial.

In the result, this Crl.M.C. is allowed. The prosecution against the petitioners in C.C.No.850/2013 of the Judicial First Class Magistrate Court-I, Perinthalmanna, will stand quashed

under Section 482 Cr.P.C.

Sd/-

P. UBAID, JUDGE

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