

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

CrI.MC.No. 197 of 2015

C.C.NO.64/2014 OF JUVENILE JUSTICE BOARD, MALAPPURAM

CRIME NO. 560/2013 OF PONNANI POLICE STATION , MALAPPURAM DISTRICT

PETITIONER(S)/ACCUSED :

**ANSARUDHEEN, AGED 19 YEARS,
S/O.KUNJUBAVA, KOOTUNGANAKATH HOUSE, PONNANI NAGARAM,
MALAPPURAM DISTRICT.**

BY ADV. SRI.RAJESH SIVARAMANKUTTY

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

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. FOUSIYA, AGED 31 YEARS,
W/O.KAREEM, RESIDING AT CHONAMBATH HOUSE,
PONNANI SOUTH, NEAR PONNANI MUNICIPALITY,
MALAPPURAM DISTRICT - 679 583.**
- 3. ABDUL KAREEM, AGED 43 YEARS,
S/O.BAPPU, VALIYAPARAMBU, CHONAMBATH HOUSE,
PONNANI SOUTH, MALAPPURAM DISTRICT,
NOW EMPLOYED AT DARAKATHER STREET,
OPP. TOP FORM RESTAURANT, RIYADH,
KINGDOM OF SAUDI ARABIA.**
- 4. HASSAINAR, AGED 27 YEARS,
S/O.HUSSAIN, CHONAMBATH HOUSE, PONNANI NAGARAM,
RESIDING AT WESTERN SIDE OF PONNANI MUNICIPALITY,
MALAPPURAM DISTRICT - 679 583.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU.P.THOMAS
R2 TO R4 BY ADV. SMT.G.SOUMYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13-01-2015, ALONG WITH CrI.MC.No.192 OF 2015 AND CONNECTED
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A:** CERTIFIED COPY OF THE FINAL REPORT IN C.C.NO. 64/2014
BEFORE THE JUVENILE JUSTICE BOARD, MALAPPURAM.
- ANNEXURE B:** COPY OF THE AFFIDAVIT FILED BY 2ND RESPONDENT
DATED 09.01.2015.
- ANNEXURE C:** COPY OF THE AFFIDAVIT FILED BY 3RD RESPONDENT
DATED 01.12.2014.
- ANNEXURE D:** COPY OF THE AFFIDAVIT FILED BY 4TH RESPONDENT
DATED 09.1.2015.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

K.ABRAHAM MATHEW, J.

Crl.M.C.Nos. 192,197,198 & 205 OF 2015

Dated this the 13th day of January, 2015

O R D E R

The petitioners in Crl.M.C. Nos.197/2015 & 205/2014 are the accused in crime No.560/2013 of Ponnani Police Station registered for the offences under Sections 143,147,148,341,323,324, 452, 354 & 294 (b) IPC. Two final reports were filed. One final report was filed before the Juvenile Justice Board and the other before the learned Magistrate. Later, the final report filed before the Juvenile Justice Board also was taken on the file of the learned Magistrate. The cases have now been numbered as CC Nos.64/2014 & 69/2014.

2. The petitioners in Crl.M.C. Nos.198/2015 & 192/2015, are the accused in the counter case viz. crime No. 561/2013 of Ponnani police Station. Though the final report

was filed as against all the accused, the case against the first accused was split up and re-filed as C.P. No.29/2014. The case against the others, C.P. No.4/14 was committed and it was taken on the file of the Sessions Court as S.C.No.443/2014. The allegation is that the petitioners committed the offences under Sections 323 & 341 IPC and Section 23 of the Juvenile Justice (Care and Protection of Children) Act. It is submitted that the cases have been settled and it is prayed that the proceedings may be quashed.

3.Heard the learned counsel for the petitioners, the learned counsel for the victims and the learned public Prosecutor.

4. The victims have entered appearance through counsel and filed affidavits to the effect that the matter has been settled and they have no objection to the criminal cases being quashed. I am satisfied that the allegations are true and no public interest is involved in the matter. It is only proper that the proceedings in the criminal cases are quashed.

In the result, these petitions are allowed and the proceedings in C.C. 64/2014 and C.C.69/2014 on the file of the

Judicial Magistrate of the 1st Class, Ponnani and in C.P. No.29/2014 of that Court and S.C.443/2014 on the file of the Sessions Court, Manjeri are quashed. The material objects, if any, produced before the Court shall be disposed of by the court concerned.

Sd/-

K.ABRAHAM MAHTEW, Judge.

dpk

/True copy/ P.S. to Judge.