

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

CrI.MC.No. 832 of 2015 ()

CRIME NO. 117/2015 OF NORTH PARAVUR POLICE STATION, ERNAKULAM.

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PETITIONERS/ACCUSED NOS.1 TO 6:

- 1. ARUN P.C. @ KANNAN, S/O.CHANDRAN,
AGED 27 YEARS, PATTTERIPADAM, KIZHAKKEPRAM,
MANNAM. P.O., NORTH PARAVUR.**
- 2. RANJITH M.R., S/O.RAMAKRISHNAN,
AGED 27 YEARS, MAVELIL HOUSE, PERUVARAM,
NORTH PARAVUR.**
- 3. NIDHIN SAJEEV, S/O.SAJEEV,
AGED 24 YEARS, MANILI HOUSE, MAKKANAYI,
MANNAM. P.O., NORTH PARAVUR.**
- 4. VINU LOUIS, AGED 24 YEARS, S/O.LOUIS,
PUTHUSSERY HOUSE, KIZHAKKEPRAM,
MANNAM. P.O., NORTH PARAVUR.**
- 5. ARUN P.P., AGED 24 YEARS,
S/O.PEETHAMBARAN, NANDIKULANGARA,
MANNAM. P.O., NORTH PARAVUR.**
- 6. BIJESH, AGED 26 YEARS, S/O.GOPI,
PANCHAVALLY HOUSE, NANDIKULANGARA,
KIZHAKKEPURAM, KOTTUVALLY VILLAGE,
NORTH PARAVUR.**

BY ADV. SRI.C.K.SREEJITH.

**RESPONDENTS/COMPLAINANT, STATE,
DE-FACTO COMPLAINANT & WITNESSES:**

- 1. THE STATION HOUSE OFFICER,
NORTH PARAVUR POLICE STATION,
NORTH PARAVUR-683 519.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

- 3. UNNIKRISHNAN, AGED 44 YEARS,
S/O.SADANANDAN, CHETHIYATTUKUDI HOUSE,
KIZHAKKEPURAM, MANNAM. P.O., KOTTUVALLY VILLAGE,
NORTH PARAVUR-683 520.**
- 4. AMMINI, AGED 68 YEARS,
W/O.LATE SADANANDAN, CHETHIYATTUKUDI HOUSE,
KIZHAKKEPURAM, MANNAM. P.O., KOTTUVALLY VILLAGE,
NORTH PARAVUR- 683 520.**
- 5. SHAHANA, AGED 43 YEARS,
W/O.UNNIKRISHNAN, CHETHIYATTUKUDI HOUSE,
KIZHAKKEPURAM, MANNAM. P.O., KOTTUVALLY VILLAGE,
NORTH PARAVUR-683 520.**
- 6. AKHIL, AGED 18 YEARS,
S/O.UNNIKRISHNAN, CHETHIYATTUKUDI HOUSE,
KIZHAKKEPURAM, MANNAM. P.O., KOTTUVALLY VILLAGE,
NORTH PARAVUR-683 520.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.
R3 TO R6 BY ADV. SMT.MARY RANZOM LOUIZ.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1- THE TRUE COPY OF THE FIR IN CRIME NO.117/2015 ON
THE FILE OF NORTH PARAVUR POLICE STATION,
ERNAKULAM.**
- ANNEXURE A2- THE TRUE COPY OF THE REMAND REPORT BEFORE
THE HON'BLE JUDICIAL 1ST CLASS MAGISTRATE,
NORTH PARAVUR.**
- ANNEXURE A3- THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT.**
- ANNEXURE A4- THE AFFIDAVIT SWORN BY THE 4TH RESPONDENT.**
- ANNEXURE A5- THE AFFIDAVIT SWORN BY THE 5TH RESPONDENT.**
- ANNEXURE A6- THE AFFIDAVIT SWORN BY THE 6TH RESPONDENT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

B.KEMAL PASHA, J.

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CrI.M.C. No. 832 of 2015

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Dated this the 19th day of February, 2015

ORDER

The accused in Crime No.117/2015 of the North Paravur Police Station, registered for the offences punishable under Sections 143, 147, 148, 447, 457, 323, 324, 506(i), 354 read with Section 149 of the Indian Penal Code, have come up under Section 482 Cr.P.C. for getting the entire proceedings against the petitioners in the said Crime, quashed.

2. The allegation against the petitioners is that on 20.01.2015 at 7 p.m., they formed themselves into an unlawful assembly, armed with deadly weapons like cricket stump, attacked the son of the de facto complainant namely, Akhil and his friend Sanjay by beating with cricket stump and they attacked the de facto complainant and his mother. It is also alleged that they attacked the wife of the de facto complainant

also by catching on her hair and pushing her down, thereby outraging her modesty.

3. According to the petitioners, the matter has been amicably settled between them and the de facto complainant and injured persons in the case and presently, the de facto complainant and injured witnesses have no complaints against them.

4. The de facto complainant, his mother, his wife and the other injured in the case have filed separate affidavits affirming that the matter has been amicably settled between them and presently, they have no complaints against the petitioners. They have entered appearance. The learned counsel for the de facto complainant and the injured witness also endorses the fact that the affidavits have been sworn in by them on their own volition and the matter has been amicably settled.

5. When such a matter has been amicably settled between the parties, I am of the view that it is just and proper in the interest of justice to quash Annexure A1 FIR in the Crime and all proceedings in it.

In the result, this Crl.M.C. is allowed and Annexure-A1 FIR in Crime No.117 of 2015 of the North Paravur Police Station and all further proceedings based on it, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.A. to Judge