

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Crl.MC.No. 2478 of 2015

**CC NO.1755/13 OF JUDICIAL FIRST CLASS MAGISTRAT COURT - II,
THIRUVANANTHAPURAM.
CRIME NO. 111/2013 OF THUMBA POLICE STATION, THIRUVANANTHAPURAM.**
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PETITIONER/ACCUSED NO.1 & 2:

1. SAJI S @ UNNI, AGED 25 YEARS,
S/O.SATHEESHAN, VEEDAN VILAKOM VEEDU,
BEHIND KOLOTHUKARA TEMPLE, POWDIKKONAM WARD,
ATTIPRA VILLAGE, KULATHOOR, KAZHAKKOTTOM,
THIRUVANANTHAPURAM. (A1).
2. SHEMIN.C. AGED 27 YEARS, S/O.CHANDRAN,
KOLLAYAMVILAKOMVEEDU, NEAR TSC HOSPITAL,
POWDIKKONAM WARD, ATTIPRA VILLAGE, KULATHOOR,
KAZHAKKOTTOM, THIRUVANANTHAPURAM. (A2).

BY ADV. SRI.V.S.THOSHIN

RESPONDENT(S)/DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31,
THROUGH THE SUB INSPECTOR OF POLICE,
THUMBA POLICE STATION,
THIRUVANANTHAPURAM-695 010.
2. SHYAM LAL, AGED 23 YEARS, S/O.SASIDHARAN,
RESIDING AT TC 81/2436, VEDANVILAKAM,
BEHIND KOLATHUKARA TEMPLE,
POUND KADAVU WARD,
KULATHOOR P.O., ATTIPRA VILLAGE,
THIRUVANANTHAPURAM-695 015 (CW1).
3. LATHIKA, AGED 46 YEARS, D/O.SAHADEVAN,
RESIDING AT TC 81/2436, VEDANVILAKAM,
BEHIND KOLATHUKARA TEMPLE, POUND KADAVU WARD,
KULATHOOR P.O., ATTIPRA VILLAGE,
THIRUVANANTHAPURAM-695 015 (CW2).

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**4. SUJA, D/O.VASANTHA, AGED 32 YEARS,
RESIDING AT TC 81/2436, VEDANVILAKAM,
BEHIND KOLATHUKARA TEMPLE, POUND KADAVU WARD,
KULATHOOR P.O., ATTIPRA VILLAGE,
THIRUVANANTHAPURAM-695 015 (CW3).**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.T.K.BABU**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-A. THE CERTIFIED COPY OF THE FINAL REPORT IN CC NO.1755/13
PENDING ON THE FILE OF THE JFMC-II,
THIRUVANANTHAPURAM.**

ANNEXURE-B. THE NOTARIZED COMPROMISE AFFIDAVIT OF THE 2ND RESPONDENT/CW1/DEFACTO COMPLAINANT.

ANNEXURE-C. THE NOTARIZED COMPROMISE AFFIDAVIT OF THE 3RD RESPONDENT/CW2.

ANNEXURE-D. THE NOTARIZED COMPROMISE AFFIDAVIT OF THE 4TH RESPONDENT/CW3.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S.S TO JUDGE

mbr/

K. ABRAHAM MATHEW, J.

Crl. M.C. No.2478 of 2015

Dated this the 21st day of May, 2015

O R D E R

Petitioners who are accused in C.C. No.1755 of 2013 on the file of the Judicial First Class Magistrate Court-II, Thiruvananthapuram pray that the proceedings in the case may be quashed as the matter has been settled. The allegation is that they have committed the offences under Secs.294(b), 323, 324, 341, 354 and 447 of Indian Penal Code.

2. Heard the learned counsel for the petitioners and respondents 2 to 4 and the learned Public Prosecutor.

3. Petitioners and respondents 2 to 4 are living in the same locality. The victims sustained only minor injuries. They have filed separate affidavits to the effect that the matter has been settled and they have no objection to the proceedings in the criminal case being quashed. I am satisfied that the allegations in the petition

are true and no public interest is involved in this case. So I am inclined to grant the prayer.

In the result, this Criminal M.C. is allowed. The proceedings in C.C. No.1755 of 2013 on the file of the Judicial First Class Magistrate Court-II, Thiruvananthapuram are quashed. The learned Magistrate may pass appropriate orders for disposal of the material objects if any produced in the case.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge