

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Cri.MC.No. 2812 of 2015

CRIME NO. 90/2015 OF HARIPAD POLICE STATION

PETITIONER(S)/ACCUSED 1 & 2 :

- 1. KUMARAN, AGED 46 YEARS,
S/O.SHANKARAN KUTTY, BINEESH BHAVANAM,
THAMALLAKKAL NORTH, KUMARAPURAM, ALAPUZHA DISTRICT,
KERALA.**
- 2. BINEESH, AGED 25 YEARS,
S/O.KUMARAN, BINEESH BHAVANAM, THAMALLAKKAL NORTH,
KUMARAPURAM, ALAPUZHA DISTRICT, KERALA.**

**BY ADVS.SRI.P.SREEKUMAR
SRI.S.PRASANTH
SRI.T.S.SARATH**

RESPONDENT(S)/COMPLAINANTS :

- 1. SUB INSPECTOR OF POLICE,
HARIPAD POLICE STATION, ALAPUZHA DISTRICT,
KERALA, PIN-690 574.**
 - 2. SHIBI SHABHU,
CHIRAYALVEEDU, THAMALLAKKAL NORTH , KUMARAPURAM,
ALAPUZHA DISTRICT, KERALA, PIN-690 548.**
 - 3. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, PIN-682 031.**
- R1 & R3 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.SADER E.REAZ**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1 : A TRUE COPY OF THE FIRST INFORMATION REPORT
ALONG WITH THE COMPLAINT.**

**ANNEXURE A2 : THE TRUE COPY OF THE AFFIDAVIT SWORN BY
THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. ABRAHAM MATHEW, J.

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Dated this the 24th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioners are accused in Crime No.90 of 2015 of Harippad Police Station registered for the offences under Sections 308, 420, 354, 324, 323 and 294(B) read with Section 34 of IPC . It is submitted that in the course of the investigation, the Investigating Officer filed a report before the learned Magistrate that the facts do not attract Section 308 IPC. The prayer in this petition is to quash the proceedings in the criminal case on the ground that the matter has been settled.

3. Heard the learned counsel for the petitioners and for the second respondent and the learned Public Prosecutor.

4. I have perused the affidavit filed by the second respondent to the effect that the matter has been settled. The parties are close relatives. I am satisfied that the matter has been settled and no public interest is involved in this case.

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In the result, this Crl. M.C. is allowed. The proceedings in
Crime No.90 of 2015 of Harippad Police Station are quashed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge