

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 19TH DAY OF MAY 2015/29TH VAISAKHA, 1937

Crl.MC.No. 2843 of 2015

**SC 632/2014 of ADDITIONAL SESSIONS COURT, THALASSERY
CRIME NO. 1155/2012 OF MATTANNUR POLICE STATION , KANNUR**

PETITIONER(S)/6TH ACCUSED:

**JAMSHEER A, AGED 25 YEARS,
S/O.MAJEED, SHABINA MANZIL, PALLOTTUPALLI,
MATTANNUR PO, KANNUR.**

BY ADV. SRI.P.M.HABEEB

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, ERANJIPALAM PO,
KOZHIKODE 673006.**

BY PUBLIC PROSECUTOR SRI.R.RANJITH

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 19-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 2843 of 2015

APPENDIX

PETITIONER(S)' ANNEXURE

ANNEXURE A: PHOTOCOPY OF THE ORDER IN CRL.MC.NO.6776/2014

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. HARILAL,J.

Crl.M.C.No.2843 OF 2015

Dated this the 19th day of May, 2015

ORDER

The petitioner is the 6th accused in Crime No.1155/2012 of Mattannur Police Station. The above crime was registered against the petitioner alleging offence punishable under Sections 143, 147, 341, 294 (B), 323, 324, 308 read with 149 of the Indian Penal Code. The police submitted the final report before the court below and the case is now pending as S.C. No.632 of 2014 before the Court of Sessions, Thalassery. It is submitted that the matter has been settled between the parties and Criminal Miscellaneous Case No.1580 of 2014 was filed before this Court to quash the proceedings on the ground that the matter has been settled between the parties. This court heard the matter and adjourned the case on the opinion that one of the victims, an injured, is working abroad and his

affidavit granting consent is also necessary for the purpose of quashing the proceedings against the accused. Thus the above Crl.M.C.stands adjourned awaiting affidavit of the victim who is working abroad.

2. Going by Annexure A2 order, it is seen that the 7th accused had filed Crl.M.C.6776 of 2014 before this Court seeking a direction to the 2nd respondent to issue a passport to him and the same was allowed. This Crl. M.C. is also filed seeking a similar direction to the 2nd respondent to accept the application for passport and issue the same.

3. Heard; the learned counsel for the petitioner and the learned Public Prosecutor.

4. Having regard to the fact that the matter has been settled between the parties, sought for quashing the entire prosecution proceedings against the petitioner and in a similar situation this Court has already passed Annexure A2 order in favour of other accused, I am inclined to grant this application also.

Consequently, the petitioner herein is permitted to apply for passport before the proper authority. The 2nd respondent can issue passport in accordance with law.

Sd/- **K. HARILAL**
JUDGE

MJL