

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

Crl.MC.No. 3129 of 2015 ()

**CC.NO. 2170/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ALAPPUZHA
CRIME NO. 119/2012 OF MARARIKULAM POLICE STATION , ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED 1-6:

1. K.A.SUGATHAN, AGED 65 YEARS,
S/O.ACHUTHAN, RESIDING AT SUMESH BHAVAN,
MAYITHARA P.O., CHERTHALA, ALAPPUZHA DISTRICT.
2. SUGEESH, AGED 34 YEARS,
S/O.SUGUTHAN, RESIDING AT SUMESH BHAVAN,
MAYITHARA P.O., CHERTHALA, ALAPPUZHA DISTRICT.
3. SUMESH, AGED 33 YEARS,
S/O.SUGUTHAN, RESIDING AT SUMESH BHAVAN,
MAYITHARA P.O., CHERTHALA, ALAPPUZHA DISTRICT.
4. SUBI, AGED 29 YEARS,
S/O.SUGUTHAN, RESIDING AT SUMESH BHAVAN,
MAYITHARA P.O., CHERTHALA, ALAPPUZHA DISTRICT.
5. SUJITH, AGED 27 YEARS,
S/O.SUGUTHAN, RESIDING AT SUMESH BHAVAN,
MAYITHARA P.O., CHERTHALA, ALAPPUZHA DISTRICT.
6. MANOJ, AGED 35 YEARS,
S/O.MOHANAN, RESIDING AT SREE KRISHNA SADANAM,
KANJIKUZHI PANCHAYATH, WARD NO.16, CHERTHALA,
ALAPPUZHA DISTRICT.

**BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND
SMT.K.VIDYA**

RESPONDENT(S)/COMPLAINANT:

1. THE STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
MARARIKULAM POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682 031.

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2. SMT. REJANI, AGED 30 YEARS,
W/O.ANOOP R.NAIR, RESIDING AT ANOOP NIVAS, WARD IX,
MARARIKULAM NORTH PANCHAYATH, KUANICHUKULANGARA,
CHERTHALA, ALAPPUZHA DISTRICT-688 582.
3. SRI.ANOOP R.NAIR, AGED 34 YEARS,
S/O.RADHAKRISHNAN NAIR, RESIDING AT ANOOP NIVAS,
WARD IX, MARARIKULAM NORTH PANCHAYATH, S.N.PURAM P.O.,
CHERTHALA, ALAPPUZHA DISTRICT-688 582.

R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 & R3 BY ADV. SRI.G.PRIYADARSAN THAMPI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

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APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX I : CERTIFIED COPY OF THE FIR IN CRIME.NO. 119/2012 OF
MARARIKULAM POLICE STATION ALONG WITH RETYPED
COPY OF FIR.**

**ANNEX II : CERTIFIED COPY OF THE FINAL STATEMENT IN CRIME NO.119/2012 OF
MARARIKULAM POLICE STATION ALONG WITH RETYPED
COPY OF FIR.**

ANNEX III : TRUE AFFIDAVIT SOLEMNLY AFFIRMED BY THE 2ND RESPONDENT.

ANNEX IV : TRUE AFFIDAVIT SOLEMNLY AFFIRMED BY THE 3RD RESPONDENT.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

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Dated this the 1st day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. Petitioners are accused in C.C. No. 2170 of 2013 on the file of the Judicial Magistrate of the First Class, Alappuzha. They are charged with having committed the offences under sections 342, 384 and 506 of IPC. It is submitted that the matter has been settled and the prayer is to quash the proceedings in the criminal case.

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

4. Second and third respondents have filed 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 are true and no public interest is involved in this case.

In the result, this Crl. M.C. is allowed. The proceedings in C.C. No. 2170 of 2013 on the file of the Judicial Magistrate

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of the First Class, Alappuzha are quashed.

DST

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True copy//

P.A. To Judge