

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS**

**TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937**

**Crl.MC.No. 3429 of 2015 ()**

**LP.NO. 32/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT ,PALA**

**PETITIONER/ACCUSED:-**

**VINOD MATHEW, AGED 40 YEARS, S/O.M.V.MATHEW,  
MOOLAYIL HOUSE, KUDAKKACHIRA P.O.,  
VALLICHIRA VILLAGE, MEENACHIL TALUK.**

**BY ADV. SRI.THOMAS J.ANAKKALLUNKAL**

**RESPONDENTS/STATE & COMPLAINANT:-**

- 1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. GEORGE JOSEPH, AGED 53 YEARS,  
S/O.OUSEPH, THOTTIYIL HOUSE, KUDAKKACHIRA P.O.,  
VALLICHIRA VILLAGE, MEENACHIL TALUK.**

**R1 BY GOVERNMENT PLEADER SMT. SAREENA GEORGE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**sts**

**Crl.MC.No. 3429 of 2015 ()**  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES:**  
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**ANNEX A1. CERTIFIED COPY OF THE FINAL REPORT IN LP NO.32/2011 BEFORE  
THE JUDICIAL FIRST CLASS MAGISTRATE COURT, PALA.**

**ANNEX A2. AFFIDAVIT SWORN IN BY RESPONDENT NO.2.**

**RESPONDENT(S)' ANNEXURES:** **NIL**  
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**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

ALEXANDER THOMAS, J.

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Crl.M.C.No. 3429 of 2015

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Dated this the 9<sup>th</sup> day of June, 2015

O R D E R

The petitioner herein is the sole accused in Crime No.248/2010 of Pala Police Station, Kottayam district, for offences registered under Sec.326 of the I.P.C. This crime was registered at the behest of the statement of the 2<sup>nd</sup> respondent defacto complainant. The allegation is that on 19.2.2010 at about 8.45 p.m. the accused attacked the defacto complainant in front of the house of the accused causing injuries to the defacto complainant and thereby committed the above offence. The Police, after investigation submitted Anx.A-1 final report/charge sheet in the above said crime, which has led to the pendency of Calendar Case, C.C.No.103/2010 on the file of the Judicial First Class Magistrate's Court, Pala and the same is now pending as L.P.No.32/2011 on the file of the above said Magistrate's court. It is stated that now the entire disputes between the petitioner and 2<sup>nd</sup> respondent defacto complainant have been settled amicably and that the 2<sup>nd</sup> respondent has sworn to Anx.A-2 affidavit before this Court, wherein it is stated

that he has settled the entire disputes with the petitioner and that he has no objection for quashment of the impugned criminal proceedings pending against the petitioner. It is in the light of these aspects that the petitioner has preferred the instant Crl.M.C. with the prayer to quash the impugned criminal proceedings against them.

2. After having heard all the parties concerned and on a meticulous scrutiny of Anx.A-2 affidavit sworn to by the 2<sup>nd</sup> respondent defacto complainant, this Court is of the considered opinion that the prayer for quashment of the impugned criminal proceedings could be considered in the light of the legal principles laid down by the Apex Court and by this Court on the subject. Accordingly, it is ordered in the interest of justice that the impugned Anx.A-1 final report/charge sheet filed in the impugned Crime No.248/2010 of Pala Police Station, which has now led to the pendency of L.P.No.32/2011 (arising out of C.C.No.103/2010) on the file of the Judicial First Class Magistrate's Court, Pala, and all further proceedings arising therefrom pending against the petitioner stand quashed.

The Crl.M.C. is disposed of as above.

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///True copy///

P.S. to Judge

Sd/-  
ALEXANDER THOMAS, JUDGE

Cr1.M.C.3429/15

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