

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. 3808 of 2015 ()

CRIME NO. 574/2015 OF KOTHAMANGALAM POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED :

1. **RAJAN**
S/O.MATHEW, THEKKEKARA HOUSE, MALAYINKEEZHU KARA
KOTHAMANGALAM VILLAGE, KOTHAMANGALAM TALUK.
2. **JINEESH @ VEERAPPAN,**
MADATHIL HOUSE, KUTHUKUZH, KOTHAMANGALAM.
3. **SOORAJ**
S/O.YACOOB, PANACHIKUDY HOUSE, KUTHUKUZH
KOTHAMANGALAM.
4. **AJEESH**
S/O.THANKAPPAN, MULLEKUDY HOUSE, KAVUMPADY
THRIKKARIYLOOR KARA, THRIKKARIYLOOR, KOTHAMANGALAM.

BY ADVS.SRI.C.DILIP
SRI.P.N.VIJAYAN NAIR

RESPONDENTS/STATE, DEFACT COMPLAINANT & ANOTHER VICTIM :

1. **STATE OF KERALA**
REPRESENTED BY THE SUB INSPECTOR OF POLICE
KOTHAMANGALAM POLICE STATION
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.
2. **JEMMA GEORGE**
W/O.GEORGE, KUZHIKANDATHIL HOUSE, VALIYAPARA
KUTHUKUZH P.O., KOTHAMANGALAM, PIN-686 691.
3. **WILFRED**
S/O.GEORGE, KUZHIKANDATHIL HOUSE, VALIYAPARA
KUTHUKUZH P.O., KOTHAMANGALAM, PIN-686 691.

R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN
R2 & R3 BY ADV. SRI.DOMSON J.VATTAKUZH

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

...2/-

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APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1 : CERTIFIED COPY OF FIR 574/2015 ALONG WITH FI STATEMENT
DATED 29-3-2015 OF KOTHAMANGALAM POLICE.**

**ANNEXURE A2 : CERTIFIED COPY OF THE CHARGE SHEET DATED 30-4-2015
SUBMITTED BY THE POLICE BEFORE JFCM NO.1,
KOTHAMANGALAM.**

**ANNEXURE A3 : AFFIDAVIT DATED 17-6-2015 FILED BY THE SECOND
RESPONDENT.**

**ANNEXURE A4 : AFFIDAVIT DATED 17-6-2015 FILED BY THE THIRD
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. ABRAHAM MATHEW, J.

Crl.M.C. No.3808 of 2015

Dated this the 24th day of June 2015

ORDER

Petition filed under Sec.482 Cr.P.C.

2. Petitioners are accused in C.C. No.726 of 2015 on the file of the Judicial First Class Magistrate Court-I, Kothamangalam. They are charged with having committed the offences under Secs.294(b), 323, 325, 427 and 452 read with Sec.34 of the Indian Penal Code. It is submitted that the dispute between the parties has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioners and for the respondents 2 and 3 and the learned Public Prosecutor.

4. Perused the affidavits filed by the 2nd and 3rd respondents. They are the victims in this case. They are not involved in any other case. I am satisfied that the matter has been settled and no public interest is involved in this case. This is a fit case to invoke the jurisdiction of

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this Court under Sec.482 Cr.P.C. to quash the proceedings in the criminal case.

In the result, this Crl.M.C. is allowed. The proceedings in Judicial First Class Magistrate Court-I, Kothamangalam are quashed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge