

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Cr1.MC.No. 3580 of 2013

IN C.C NO.906/2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT,
PERUMBAVOOR

CRIME NO. 150/2013 OF PERUMBAVOOR POLICE STATION , ERNAKULAM

PETITIONERS/ACCUSED:

1. RAJEEV, AGED 36 YEARS
S/O NARAYANAN, NEDUMPURAM HOUSE, IRINGOLE P.O,
PERUMBAVOOR.
2. BIJU N.R., AGED 35 YEARS,
S/O N.G.RAMAKRISHAN, NEDUMPURAM HOUSE,
VATAKKATTUPADY,
IRINGOLE P.O., PERUMBAVOOR.
3. SAJEEV, AGED 35 YEARS,
S/O RAMASWAMI, MARBLE JUNCTION, ALLAPRA P.O.
VENGOLA.

BY ADVS.SRI.N.C.MOHANAN
SMT.REKHA C.NAIR

RESPONDENTS/RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. PRASANTH M.T., AGED 32 YEARS,
S/O. M.K.THANKAPPAN, MUPRATHADATHIL HOUSE,
SASTHAMANGALAM ROAD, KADUVAL, PERUMBAVOOR.
3. PUSHPA THANKAPPAN,, AGED 56 YEARS,
M.K.THANKAPPAN, MUPRATHADTHIL HOUSE,
SASTHAMANGALAM ROAD, KADUVAL, PERUMBAVOOR.

R2,3 BY ADV. SMT.N.G.SINDHU
R1 BY PUBLIC PROSECUTOR SMT.S.HYMA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 3580 of 2013

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1: COPY OF FIR IN CRIME NO.150/2013 OF THE PERUMBVOOR
POLICE STION DATED 3.2.2013.

ANNEXURE A2: COPY OF THE CHARGE SHEET CRIME NO.150/2013 OF THE
PERUMBAVOOR POLICE STATION DATED 6.5.2013.

ANNEXURE A3: COPY OF THE AFFIDAVIT FILED BY THE DEFACTO
COMPLAINANT

ANNEXURE A4: COPY OF THE AFFIDAVIT FILED BY THE CW2, MOTHER OF
THE DEFACTO COMPLAINANT.

RESPONDENTS' ANNEXURES:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

Crl.M.C No.3580 of 2013

Dated this the 20th day of July, 2015

O R D E R

A prosecution involving the offence under Sections 448 and 323 of the Indian Penal Code is sought to be quashed on the ground of amicable settlement out of court. The petitioners are the accused in C.C No.906/2013 of the Judicial First Class Magistrate Court, Perumbavoor. They seek orders from this Court under Section 482 of the Code of Criminal Procedure. When the offences are compoundable under the law, the petitioners can very well approach the trial court itself and file composition under Section 320 of the Code of Criminal Procedure. It is not known why they have approached this Court under Section 482 of Cr.P.C when remedy is available in the trial court itself. Hence this Criminal Miscellaneous Case is disposed of with observation that the petitioners can approach the trial court itself, and file composition.

**P.UBAID
JUDGE**

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