

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Crl.MC.No. 5807 of 2015

**L.P.NO.36/07 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,MAVELIKKARA.
CRIME NO. 141/2004 OF NOORANADU POLICE STATION, ALAPPUZHA.**
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PETITIONER/ACCUSED NO.2:

**MAHESH, AGED 40 YEARS, S/O.C.P.THARAKAN,
ANNIYIL VEETIL, VEDARAPLAVU MURI,
THAMARAKULAM, ALAPPUZHA.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S)/COMPLAINANT/CW-1, CW-2 & CW3:

- 1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. PRADEEP KUMAR, AGED 38 YEARS,
S/O.PURUSHOTHAMAN PILLAI, PALLICKAL THEKKATHIL,
MEKKU MURI, THAMARAKULAM, ALAPPUZHA -680001.**
- 3. PREMJIITH, AGED 43 YEARS, S/O.SIVARAMAN NAIR,
JITH BHAVANAM, PUTHIYAVILA, KANDALLOOR,
ALAPPUZHA - 680 001.**
- 4. SURAJ, AGED 33 YEARS, S/O.RAJU, SURAJ BHAVANAM,
CHERUMUKHA MURIYIL NOORNADU, ALAPPUZHA - 680 001.**

**R1 BY PUBLIC PROSECUTOR SMT.P.MAYA
R2 TO R4 BY ADV. SMT.T.M.BINITHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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Crl.MC.No. 5807 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE 1 - COPY OF THE FINAL REPORT.

ANNEXURE 2 - AFFIDAVIT FILED BY THE 2ND, 3RD & 4TH RESPONDENT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 5807 of 2015

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Dated this the 1st day of October, 2015

ORDER

The petitioner is the 2nd accused in Crime No.141/2004 of the Nooranadu Police Station, Alappuzha District, registered for the offences punishable under Sections 341, 323 and 294(b) read with Section 34 IPC.

2. The final report has been filed in the matter, the copy of which is Annexure I.

3. The petitioner was absconding and consequently, the trial was proceeded with as against the 1st accused, which had ended in acquittal. Presently, the matter has been settled amicably between the petitioner and respondents 2 to 4, who are the de facto complainant and the injured witnesses. Respondents 2 to 4 have filed separate affidavits affirming that the matter has been

amicably settled and they have no complaints against the petitioner. It has come out that there are no criminal antecedents against the petitioner. When the matter has been amicably settled, no purpose would be served in proceeding with the matter further. Matters being so, Annexure I final report in Crime No. 141/2004 of the Nooranadu Police Station, Alappuzha District and all further proceedings based on it as against the petitioner can be quashed.

In the result, this Crl.M.C is allowed and Annexure I final report in Crime No. 141/2004 of the Nooranadu Police Station, Alappuzha District and all further proceedings based on it as against the petitioner, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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