

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Cr1.MC.No. 5864 of 2015 ()

C.C 268/2015 of C.J.M.,KASARAGOD

CRIME NO.742/2014 OF MANJESWAR POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED:

1. MUNEER @ KANJAVU MUNEER, AGED 36 YEARS
S/O.M.MOHAMMED, R/AT ARAFATH MANZIL, SANTADUKKA
KULLOOR VILLAGE, KASARAGOD DISTRICT.

2. IRFAN, AGED 23 YEARS
S/O.IBRAHIM @ UMBU, R/AT BILAL MANZIL, PATHODI
MULINCHA VILLAGE, KASARAGOD DISTRICT.

3. MUJEEB, AGED 24 YEARS
S/O.ARABI, R/AT HIDAYATH NAGER, UPPALA VILLAGE
KASARAGOD DISTRICT.

4. NIYAS, AGED 27 YEARS
S/O.T.M.ABDULLA, R/AT NIYAS MANZIL, PATHOODY
KODIBAYAL VILLAGE, KASARAGOD DISTRICT.

5. MUSAMIL, AGED 23 YEARS
S/O.SAYYID MUHAMMED THANGAL, R/AT THANGAL HOUSE
FIROSE STREET, UPPALA VILLAGE, KASARAGOD DISTRICT.

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENT(S)/STATE & COMPLAINANT:

1. STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER, MANJESHWAR
REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

2. ASHARAF, AGED 33 YEARS
S/O.MAMMUNHI HAJEE, CHINALA HOUSE, P.O.CHARLA
MANJESHWAR, KASARAGOD DISTRICT.

R2 BY ADV. SMT.C.B.SUMA DEVI
R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 5864 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE I- TRUE COPY OF THE FINAL REPORT IN CRIME NO.742/2014
DATED 28.11.2014 BY THE MANJESHWAR POLICE STATION.

ANNEXURE II- TRUE COPY OF THE AFFIDAVIT BY THE 2ND RESPONDENT.

RESPONDENT(S) ' ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE.

STU

B.KEMAL PASHA, J.

=====

Crl.M.C. No. 5864 of 2015

=====

Dated this the 18th day of November, 2015

ORDER

According to the petitioners, the matter has been amicably settled between them and the de facto complainant. The de facto complainant has filed Annexure-II affidavit also affirming that the matter has been amicably settled between him and the petitioners and he has no complaints against the petitioners. The offences alleged are under Sections 143, 147, 148, 323, 341 and 326 read with Section 149 IPC in Crime No. 742/2014 of the Manjeshwaram Police Station, Kasaragod District.

2. Considering the gravity of the matter, this Court cannot accept and endorse the settlement arrived at between the parties. The matter is presently pending as C.C.No.268/2015 for the aforesaid offences. At the same time, the court below can take note of the settlement arrived at between the parties, take the case out of turn

and dispose it of expeditiously.

With the said observation, this Crl.M.C is dismissed.
The Registry shall return Annexure-II affidavit to the
learned counsel for the petitioners.

Sd/-
B.KEMAL PASHA, JUDGE

stu