

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Crl.MC.No. 4762 of 2014 ()

CC.NO. 656/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, HOSDURG

PETITIONER/ACCUSED :

**ARUN RENGATHUMALA, AGED 44 YEARS
S/O.LATE CHINNAPPA GOWDA AND CHANDRAVATHI
HOUSE NO.251, WARD NO.VI, KALLAPPALLI
RENGATHUMALA, PANATHADI VILLAGE,
PANATHADI PANCHAYATH.**

**BY SENIOR ADVOCATE SRI.M.RAMESH CHANDER
BY ADVS.SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENTS/COMPLAINANTS & STATE :

- 1. N.JAYAKUMAR, AGED 41 YEARS
S/O.ANNAKOSE GOWDA, MAVILAMKOTTA HOUSE
BANDADKA VILLAGE
KASARAGOD TALUK AND DISTRICT - 671 541.**
- 2. GEETHA,
AGED 30 YEARS, D/O.ANNAKOSE GOWDA,
MAVILANKOTA HOUSE, BANDADUKA VILLAGE
KASARAGOD TALUK - 671 541.**
- 3. JANARDHANAN N.A., AGED 36 YEARS
S/O.ANNAKOSE GOWDA, RESIDING AT PADUPPU
MAVILANKOTA HOUSE, BANDADUKA VILLAGE
KASARAGOD TALUK AND DISTRICT - 671 541.**
- 4. UDAYAKUMAR N.A., AGED 28 YEARS
S/O.ANNAKOSE GOWDA, RESIDING AT PADUPPU
MAVILANKOTA HOUSE, BANDADKA VILLAGE
KASARAGOD TALUK AND DISTRICT - 671 541**
- 5. LEELAVATHI N.A., AGED 31 YEARS
S/O.ANNAKOSE GOWDA, RESIDING AT MAVILANKOTA HOUSE
BANDADUKA VILLAGE
KASARAGOD TALUK AND DISTRICT - 671 541.**

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6. SUMA, AGED 40 YEARS
W/O.RAVEENDRAN & D/O.ANNAKOSE GOWDA
RESIDING AT SULTHAN BATHERY
WAYANAD DISTRICT - 671 592.
7. KEPAKKA, AGED 60 YEARS
W/O.ANNAKOSE GOWDA, RESIDING AT MAVILANKOTA HOUSE
BANDADUKA VILLAGE
KASARAGOD TALUK AND DISTRICT - 671 541
8. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

*ADDL. R9 IMPEADED

*ADDL. R9. THE MANAGER
KERALA GRAMIN BANK, PANATHUR BRANCH,
KASARAGOD.

*IS IMPEADED AS ADDL. R9 AS PER ORDER DT. 09.03.2015 IN CRL.MA.
NO. 1070/2015 IN CRL.MC. NO.4762/2014.

R1 TO R7 BY ADV. SRI.V.TEKCHAND
R8 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE
ADDL.R9 BY ADVS. SRI.DEVAN RAMACHANDRAN
SRI.K.M.ANEESH
SRI.ADARSH KUMAR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 03-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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...3/-

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1:** CERTIFIED COPY OF CHARGE SHEET.
- ANNEXURE A2:** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 1ST RESPONDENT ON 18/6/2014.
- ANNEXURE A2(a):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 2ND RESPONDENT ON 18/6/2014.
- ANNEXURE A2(b):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 3RD RESPONDENT ON 18/6/2014.
- ANNEXURE A2(c):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 4TH RESPONDENT ON 18/6/2014.
- ANNEXURE A2(d):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 5TH RESPONDENT ON 18/6/2014.
- ANNEXURE A2(e):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 6TH RESPONDENT ON 18/6/2014.
- ANNEXURE A2(f):** THE ORIGINAL OF THE AFFIDAVIT SWORN BY 7TH RESPONDENT ON 18/6/2014.
- ANNEXURE A3:** COPY OF THE PLAINT IN OS NO. 12/2015 OF SUBORDINATE JUDGE, HOSDURG.
- ANNEXURE A4:** COPY OF THE JUDGMENT IN OS 12/2015 DATED 29.9.2015 OF THE HONOURABLE SUBORDINATE JUDGE, HOSDURG.

RESPONDENT(S)' ANNEXURES : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

B. KEMAL PASHA, J.

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CRL.M.C. No. 4762 of 2014
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Dated this the 3rd day of November, 2015

ORDER

Petitioner is the accused in C.C.No.656/12 pending before the Judicial First Class Magistrate's Court-I Hosdurg, for offences punishable under Sections 467, 471 and 420 IPC.

2. According to the petitioner, the matter has been amicably settled between him and the defacto complainant and the other affected parties, who are respondents 1 to 7. They have filed separate affidavits as Annexures A2 to A2(f) affirming that the matter has been amicably settled and they have no complaints against the petitioner.

3. At the same time, considering the seriousness of the allegations against the petitioner and the gravity of the

matter, this Court cannot accept and endorse the settlement arrived at between the parties. The court below shall take the case out of turn and dispose of the matter expeditiously by taking note of the fact that the matter has been settled between the parties.

In the result, this Crl.M.C. is disposed of as above.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge