

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

Crl.MC.No. 6008 of 2015

CC 747/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PAYYANNUR
CRIME NO. 530/2012 OF PAYANGADI POLICE STATION , KANNUR

PETITIONER(S)/ACCUSED NO. 1 TO 5:

1. MUHAMMED FASAL, AGED 31 YEARS,
S/O. ABDULLA HAJI, CHERICHI HOUSE, MADAYI AMSOM,
KOZHI BAZAR, KANNUR DISTRICT.
2. MUBASHEER C.H., AGED 27 YEARS,
S/O. AHAMMED HAJI, CHERICHI HOUSE, MADAYI AMSOM,
KOZHI BAZAR, KANNUR DISTRICT.
3. HARSHAD A.P., AGED 29 YEARS,
S/O. MAHAMMOOD, ANAKKARAN PUTHIYAVALLAPPIL (H),
MADAYI AMSOM, KOZHI BAZAR, KANNUR DISTRICT.
4. AMEEN K.V., AGED 27 YEARS,
S/O. KUNHAMMED, KAVILE VALAPPIL (H), MADAYI AMSOM,
KOZHI BAZAR, KANNUR DISTRICT.
5. RAMEES, AGED 27 YEARS,
S/O. MAHAMMOOD, BAMITHAYI (H), MADAYI AMSOM,
KOZHI BAZAR, KANNUR DISTRICT.

BY ADV. SRI.ZUBAIR PULIKKOOL

RESPONDENT(S)/COMPLAINANT:

1. MUHAMMED ASHKAR, AGED 31 YEARS,
S/O. MUHAMMED KUNHI, KUNDILE VALAPPIL (H),
MATTOOL AMSOM, MATTOOL SOUTH, KANNUR DISTRICT,
PIN-670 302.
2. SAMEER K.T., AGED 27 YEARS,
S/O. ABDUL KHADER, KAKKACHITHAYAL (H), MATTOOL AMSOM,
MATTOOL SOUTH, KANNUR DISTRICT, PIN-670 302.

msv/

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- 3. AFSAL K.V., AGED 33 YEARS,
S/O. MUHAMMED KUNHI, KUNDU VALAPPIL (H), MATTOOL AMSOM,
MATTOOL SOUTH, KANNUR DISTRICT, PIN-670 302.**
- 4. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.**

R1-R3 BY ADV. SRI.P.S.BINU

R4 BY SENIOR PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 6008 of 2015

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE I- TRUE COPY OF THE FIR & POLICE CHARGE IN CRIME NO. 530/2012 OF
PAZHAYANGADI POLICE STATION.**

**ANNEXURE II- THE ORIGINAL COPY OF THE AFFIDAVIT SWORN BY THE
1ST RESPONDENT.**

**ANNEXURE III- THE ORIGINAL COPY OF THE AFFIDAVIT SWORN BY THE
2ND RESPONDENT.**

**ANNEXURE IV- THE ORIGINAL COPY OF THE AFFIDAVIT SWORN BY
3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS

B.KEMAL PASHA, J.

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CRL. M.C. No. 6008 of 2015
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Dated this the 16th day of September, 2015

ORDER

Petitioners are A1 to A5 in C.C.No.747 of 2012 of the Judicial First Class Magistrate's Court, Payyannur, which has arisen from Crime No.530/2012 of the Pazhayangadi Police Station, registered for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 of the Indian Penal Code, read with Section 149 IPC.

2. It seems that the matter has been settled between the parties and a compromise has been entered into. CWs.1 to 3, who are the injured in the case, have filed affidavits stating that the matter has been amicably settled in between them and the petitioner. On going through the matter, it has come out that serious injuries were not there.

Considering the settlement arrive at between the parties, this Court is of the view that no purpose would be served in proceeding with the matter further and therefore, Annexure I Final Report as well as all further proceedings in C.C.No.747/12 of the Judicial First Class Magistrate's Court, Payyannur in Crime No.530/12 of the Pazhayangadi Police Station are liable to be quashed.

In the result, this Crl.M.C. is allowed and Annexure I Final Report as well as all further proceedings in C.C.No.747/12 of the Judicial First Class Magistrate's Court, Payyanur in Crime No.530/12 of the Pazhayangadi Police Station are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge