

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Crl.MC.No. 6017 of 2015 ()

CC. NO.429/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM.
CRIME NO. 986/2012 OF SAKTHIKULANGARA POLICE STATION, KOLLAM DIST.
.....

PETITIONER/ACCUSED NO.1:

1. NANDU .D., AGED 25 YEARS,
S/O. DEVAKUMAR, KANICHERRY VADAKKATHIL,
GURUVEDA NAGAR-67, KANNIMAL CHERRY,
SAKTHIKULANGARA VILLAGE, KOLLAM-691 581.

* ADDL. PETITIONER NO.2 IMPEADED

2. GANAPATHY RAJ, AGED 23 YEARS,
S/O.P.J. RAJENDRAN, PONGADA VEEDU,
KANNIMEL CHERRY, SAKTHIKULANGARA (VILLAGE),
SAKTHIKULANGARA P.O., KOLLAM-691 581.

* IS IMPEADED AS ADDL. PETITIONER 2, AS PER ORDER
DATED 22/09/2015 IN CRL.MA. NO.9302/2015 IN CRL.MC. NO.6017/2015.

BY ADVS.SRI.BLAZE K.JOSE,
SRI.M.RAJESH.

RESPONDENTS/COMPLAINANTS:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.

2. SUB INSPECTOR OF POLICE,
SAKTHIKULANGARA POLICE STATION,
KOLLAM-691 581.

3. ROY FRANCIS, AGED 25 YEARS,
S/O. RAVI JOSEPH, ERAPPURAM VEEDU,
SAKTHIKULANGARA CHERRY, SAKTHIKULANGARA VILLAGE,
SAKTHIKULANGARA P.O., KOLLAM-691 581.

R1 & R2 BY PUBLIC PROSECUTOR SMT.P. MAYA.
R3 BY ADV. SMT.RESHMA G.MENON.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE 1 :** A CERTIFIED COPY OF THE CHARGE SHEET IN
CRIME NO.986/2012 OF SAKTHIKULANGARA POLICE STATION.
- ANNEXURE 2 :** AFFIDAVIT DTD. 25.08.2015 BY THE 3RD RESPONDENT/
DEFACTO COMPLAINANT.
- ANNEXURE 3 :** AN AFFIDAVIT DATED 15/09/2015 BY THE
DEFACTO COMPLAINANT.
- ANNEXURE 4 :** DEATH CERTIFICATE OF ACCUSED NO.3 DATED 27/03/2013
ISSUED BY THE GOVERNMENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B.KEMAL PASHA, J.

.....
CRL. M.C. No.6017 of 2015
.....

Dated this the 29th day of September, 2015

ORDER

Petitioners are the accused in C.C.No.429/13 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.986/12 of the Saktikulangara Police Station, registered for the offences punishable under Sections 323 and 324 read with Section 34 IPC. According to the petitioners, the matter has been amicably settled between them and the defacto complainant, injured. The parties are neighbours and they are friends.

2. The quarrel has ensued from a minor dispute between the parties. The injuries allegedly sustained by the defacto complainant, who is the 3rd respondent herein are trivial. The defacto complainant has filed Annexure-3

affidavit stating that the matter has been amicably settled between them and he has no complaints against the petitioners. When the matter has been amicably settled between the parties, no purpose would be served in continuing with the trial. Matters being so, Annexure-1 final report in Crime No.986/12 of the Saktikulangara Police Station and all further proceedings based on it in C.C.No.429/13 of the Judicial First Class Magistrate's Court-II, Kollam, are liable to be quashed.

In the result, this Crl.M.C. is allowed and Annexure-1 final report in Crime No.986/12 of the Saktikulangara Police Station and all further proceedings based on it in C.C.No.429/13 of the Judicial First Class Magistrate's Court-II, Kollam are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge