

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

Crl.MC.No. 6104 of 2015

C.C.NO.81/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT- II, PERAMBRA

PETITIONER(S)/ACCUSED 1 TO 4 :

- 1. NARAYANAN P.M, AGED 62 YEARS,
S/O.IMBICHAN, PILACHERIPARAMBATH(H), THURITHIAD(PO),
BALUSSERY, KOZHIKODE.**
- 2. SASIKALA V.P., AGED 50 YEARS,
W/O.NARAYANAN P.M, PILACHERIPARAMBATH(H),
THURITHIAD(PO), BALUSSERY, KOZHIKODE.**
- 3. SHINOD V.M, AGED 42 YEARS,
S/O.GOVINDAN, KULATHINTE MITHAL(H), THURTHIAD(PO),
BALUSSERY, KOZHIKODE.**
- 4. SHINI, AGED 33 YEARS,
D/O.NARAYANAN, PILACHERIPARAMBATH(H), THURITHIAD(PO),
BALUSSERY, KOZHIKODE.**

**BY ADVS.SRI.K.B.ARUNKUMAR
SRI.RANJIT BABU**

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED THROUGH THE SUB INSPECTOR OF POLICE,
BALUSSERY POLICE STATION, KOZHIKODE DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**
- 2. VINOD, AGED 31 YEARS,
S/O.ARIYAN, VELLACHALIL HOUSE, KOKKALLUR VILLAGE,
THURITHIAD(PO), BALUSSERY, KOZHIKODE, PIN-673 004.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.PRATHEESH.P**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE 1: THE CERTIFIED COPY OF THE FIR AND FIS IN
CRIME NO.661/2014 OF BALUSSERY POLICE STATION.**

**ANNEXURE 2: THE CERTIFIED COPY OF THE FINAL REPORT IN
C.C.NO.81/2015 NOW PENDING ON THE FILE OF
THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II,
PERAMBRA.**

**ANNEXURE 3: THE AFFIDAVIT DATED 05.09.2015 EXECUTED BY
THE 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
Crl.M.C. No.6104 of 2015
.....

Dated this the 17th day of September, 2015

ORDER

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Petitioners are the accused in Crime No.661/2014 of Balussery Police Station, which is presently pending as CC.81/2015 before the Judicial First Class Magistrate's Court-II, Perambra for the offences punishable under Sections 341, 323, 324 and 448 IPC. According to the petitioners, the matter has been amicably settled between them and the de facto complainant, who is the 2nd respondent herein. There is only one injured in the case, who is the 2nd respondent. The injuries are only trivial.

2. The 2nd respondent has filed Annexure-3 affidavit affirming that the matter has been amicably settled between them and he has no complaints against the petitioners. No other cases have been registered against the petitioners.

3. In the absence of any criminal antecedents on

the part of the petitioners, considering the facts and circumstances of the case and the settlement arrived at between the parties, this Court is of the view that there is no meaning in proceeding with the matter further and, therefore, Annexure-1 FIR, Annexure-2 final report and all further proceedings in CC.81/2015 of the Judicial First Class Magistrate's Court-II, Perambra can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-1 FIR, Annexure-2 final report and all further proceedings in CC.81/2015 of the Judicial First Class Magistrate's Court-II, Perambra are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/17/09

// True Copy //

PA to Judge