

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Crl.MC.No. 4920 of 2014

**CC 1000/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, PUNALUR
CRIME NO. 1892/2013 OF ANCHAL POLICE STATION, KOLLAM**
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PETITIONER(S)/ACCUSED 1 TO 6:

1. SURENDRAN, AGED 48 YEARS,
S/O.N.SUKUMARAN, SURENDRA VILASOM,
ANCHAL P.O., KOLLAM DISTRICT - 691 306.
2. RAJENDRAN, AGED 57 YEARS,
S/O.KUNJUKRISHNAN NAIR, R.J.BHAVAN, KOTTIYAM,
KOLLAM DISTRICT - 691 571.
3. KHALEEL REHUMAN, AGED 44 YEARS,
S/O.K.M.SIRAJUDEEN, HALIF MANZIL, KURUMPELIL,
AGASTHYAKODU, ANCHAL P.O., KOLLAM DISTRICT -691 306.
4. MIDHILAN N., AGED 50 YEARS,
S/O.NARAYANAN, MIDHILA, PERINADU P.O.,
MURUNTHAL, KOLLAM DISTRICT.
5. RAMACHANDRAN, AGED 50 YEARS,
S/O.MADHAVAN, NELLIVILA PUTHEN VEEDU,
ALAYAMON P.O, ANCHAL P.O., KOLLAM DISTRICT - 691 306.
6. PRAMOD S.KUMAR, AGED 39 YEARS,
S/O.SATHYADEVAN, KALEYICKAL, AGASTHYAKODU,
ANCHAL P.O.,KOLLAM DISTRICT - 691 306.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

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

msv/

Crl.MC.No. 4920 of 2014

**2. THAJUDEEN,
S/O.ABDUL KHADER KUNJU, VELISSERY BUNGALOW, THAZHAMEL,
ANCHAL, KOLLAM DISTRICT - 691306.**

**R2 BY ADVS. SRI.R.SURAJ KUMAR
SRI.SUNIL J.CHAKKALACKAL
SMT.V.BEENA
SMT.V.DEEPA**

R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
16-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE-1: COPY OF THE REPRESENTATION DATED 17.07.2013 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE HON'BLE MINISTER OF HOME AFFAIRS

ANNEXURE-2: COPY OF FIR NO.1892/2013 IN CRIME NO.1892/2013 OF ANCHAL POLICE STATION.

ANNEXURE-3: COPY OF FINAL REPORT IN CRIME NO.1892/2013

ANNEXURE-4: COPY OF THE COMPROMISE PETITION DATED 30.5.97

ANNEXURE-5: COPY OF THE SALE AGREEMENT DATED 31.12.2004 ENTERED BETWEEN THE 2ND PETITIONER AND THE 2ND RESPONDENT

ANNEXURE-6: COPY OF THE PLAINT IN OS 152/06 WHICH WAS FILED BY THE 2ND PETITIONER BEFORE THE SUB COURT, KOTTARAKKARA.

ANNEXURE-7: COPY OF THE ORDER DATED 4.3.2009 PASSED BY THIS HON'BLE COURT IN RCR NO.56/2007

ANNEXURE-8: COPY OF THE REPORT DATED 27.11.2012 SUBMITTED BY THE FORENSIC SCIENCE LABORATORY, THIRUVANANTHAPURAM.

ANNEXURE-9: COPY OF THE LETTER DATED 17.7.2013 SEND BY THE CHAIRMAN OF MILMA TO THE HON'BLE MINISTER OF HOME AFFAIRS.

RESPONDENT(S)' ANNEXURES:

ANNEXURE R2(a): REPORT DTD.27.11.2012 OF THE STATE FORENSIC SCIENCES LABORATORY, STATE POLICE DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

ANNEXURE R2(b): TRUE COPY OF THE JUDGMENT DTD.23.8.2014 IN OSNO.152/2006 ON THE FILE OF THE SUBORDINATE JUDGE, KOTTARAKKARA.

ANNEXURE R2(c): TRUE COPY OF THE JUDGMENT DTD.1.4.2014 IN R.C.REV.NO.56/2007 ON THE FILE OF THIS HON'BLE COURT.

//TRUE COPY//

P.S.TO JUDGE

B.KEMAL PASHA, J.

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Crl.M.C. No.4920 of 2014

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Dated this the 16th day of December, 2015

ORDER

The matter has been sent for mediation. The parties have amicably settled the matter involved in this Crl.M.C. together with the matter involved in R.F.A.No.715 of 2014. A memorandum of settlement agreement has been entered into between the parties. When the matter has been amicably settled, all further proceedings in C.C.No.1000 of 2014 of the Judicial First Class Magistrate's Court-I, Punalur have become unnecessary. In view of the settlement arrived at between the parties through a successful mediation, and as the mediation

settlement agreement has been accepted, the proceedings in C.C.No.1000 of 2014 of the Judicial First Class Magistrate's Court-I, Punalur, as against the petitioners, based on Annexure3 Final Report in Crime No.1892 of 2013 of the Anchal Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and the proceedings in C.C.No.1000 of 2014 of the Judicial First Class Magistrate's Court-I, Punalur, as against the petitioners, based on Annexure3 Final Report in Crime No.1892 of 2013 of the Anchal Police Station, are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/17/12/15

// True Copy //

P.A. To Judge