

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. 6112 of 2015

**CC 1103/2015 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM.
CRIME NO. 967/2010 OF ERNAKULAM CITY POLICE STATION, ERNAKULAM DISTRICT.**
.....

PETITIONER/ACCUSED:

**CHACKO, AGED 70 YEARS,
S/O.LASSAR, PUTHEDATH VEEDU,
THATTAZHAM ROAD, VADUTHALA KARA,
CHERANALLOOR VILLAGE.**

BY ADV. SMT.ANITHA M.N. (EKM)

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANTS:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SIJOY THOMAS, S/O.THOMAS, AGED 39 YEARS,
VETTIKATTIL VEETIL, KOLANIKARA,
KARINKUNNAM VILLAGE, THODUPUZHA TALUK,
IDUKKI - 685 585.**
- 3. BABU V.C, AGED 55 YEARS,
S/O.CHACKO, VATTOLI VEEDU, S.R.M.ROAD,
TRIKKANARVATTOM DESOM,
ERNAKULAM DISTRICT - 682 018.**
- 4. FRANCIS M.C, AGED 69 YEARS, S/O.CHEEKKU,
MOOZHITHOTTIL VEEDU, ST.BENEDICT ROAD,
TRIKKANARVATTOM DESOM,
ERNAKULAM DISTRICT - 682 018.**
- 5. ROY, AGED 55 YEARS, S/O.GEORGE, PULIKKAL VEEDU,
BANERJI ROAD, ERNAKULAM VILLAGE, KOCHI - 31.**

**R1 BY PUBLIC PROSECUTORSMT.SAREENA GEORGE
R2 BY ADV. SMT.V.SREEJA
R3 TO R5 BY ADV. SRI.D.AJITHKUMAR**

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

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE-I: A TRUE COPY OF THE FIR DTD 20.5.2010.**
- ANNEXURE-II: A TRUE COPY OF THE FINAL REPORT DTD 28.6.2010.**
- ANNEXURE-III: A TRUE COPY OF THE AFFIDAVIT DATED 12.8.2015 FILED BY
THE 2ND RESPONDENT/DEFACTO COMPLAINANT.**
- ANNEXURE-IV: A TRUE COPY OF THE AFFIDAVIT DATED 18.8.2015 FILED BY
THE 3RD RESPONDENT.**
- ANNEXURE-V: A TRUE COPY OF THE AFFIDAVIT DATED 18.8.2015 FILED BY
THE 4TH RESPONDENT.**
- ANNEXURE-VI: A TRUE COPY OF THE AFFIDAVIT DATED 18.8.2015 FILED BY
THE 5TH RESPONDENT.**

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.6112 of 2015
.....

Dated this the 16th day of September, 2015

ORDER

~~~~~

Petitioner is the sole accused in Crime No.967/2010 of Ernakulam Town North Police Station registered for the offences punishable under Sections 13 and 17 of the Kerala Money Lenders Act, 1958.

2. It seems that there were some financial transactions between the petitioner and CW1, who is the de facto complainant. All those matters were settled. The de facto complainant has filed an application stating that the entire matter has been settled between them and he has no complaints against the petitioner. CWs 2 to 4 in the case, who are witnesses, have also filed separate affidavits stating that the matter has been amicably settled between the parties and, therefore, the matter can be permitted to be compounded.

3. When the matter has been amicably settled between the parties, there is no meaning in proceeding with the matter further and, therefore, the proceedings based on Annexure-II final report in CC.1103/2015 of the Additional Chief Judicial Magistrate's Court, Ernakulam in Crime No.967/2010 of Ernakulam Town North Police Station can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings based on Annexure-II final report in CC.1103/2015 of the Additional Chief Judicial Magistrate's Court, Ernakulam in Crime No.967/2010 of Ernakulam Town North Police Station are quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/16/09

*// True Copy //*

*PA to Judge*