

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Crl.MC.No. 6155 of 2015 ()

**S.C. 455/2015 OF ADDL. DISTRICT & SESSIONS COURT - I, THALASSERY
CRIME NO. 398/2014 OF PERINGOME POLICE STATION, KANNUR**

PETITIONER/ACCUSED :

**ASHRAF M., AGED 40 YEARS,
S/O MUHAMMED, MONAGATT HOUSE, VAYAKKARA AMSOM
PADYOTCHAL P.O., KANNUR DISTRICT.**

BY ADV. SRI.ZUBAIR PULIKKOOL

RESPONDENTS/COMPLAINANT :

**1. MUHAMMED RIYAS K., AGED 19 YEARS,
S/O YOUSAF, KOROKKARAN HOUSE, PERINGOME AMSOM,
KARIPPOD, PERINGOME P.O., KANNUR DISTRICT - PIN:670354.**

**2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

**R1 BY ADV. SRI.P.S.BINU
R2 BY PUBLIC PROSECUTOR SMT. P. MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 6155 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE I: COPY OF THE FIR AND POLICE CHARGE IN CRIME 398/2014 OF
PERINGOME POLICE STATION.**

ANNEXURE II: THE TRUE COPY OF THE AFFIDAVIT OF IST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B. KEMAL PASHA, J.

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Crl.M.C. No.6155 of 2015 G
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Dated this the 1st day of October, 2015

O R D E R

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Petitioner is the accused in SC No.455/2015 pending before the Additional Sessions Court-I, Thalassery for the offence punishable under Sections 452, 323 and 326 IPC. According to the petitioner and the 1st respondent, the matter has been amicably settled between them. The 1st respondent was a juvenile as on the date of incident, in 2014.

2. This is a case wherein house trespass as well as grievous hurt is alleged. The settlement arrived at between the parties cannot be entertained by this Court. Of course, it is a matter that can be looked into by the court below.

In the result, this CrI.M.C. is dismissed. At the same time, the court below is directed to take the matter out of turn, as the matter has been settled according to the parties, and dispose of the same expeditiously.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/01/10

// True Copy //

PA to Judge