

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937**

**Crl.MC.No. 6197 of 2015 ()**  
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**CC.NO. 1025/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I, HOSDURG**  
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**PETITIONER/ACCUSED:**  
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**VIPIN.V, AGED 23 YEARS, S/O VASU,  
VALIYAVEEDU, POYYAKARA CHITHARI GRAMAM,  
KASARAGOD DISTRICT-671 316**

**BY ADVS.SRI.K.J.MOHAMMED ANZAR  
SRI.DILEEP D BHAT**

**RESPONDENT(S)/STATE & COMPLAINANT/DEFACTO COMPLAINANT:**  
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- 1. STATE OF KERALA,  
REP BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031**
- 2. THE STATION HOUSE OFFICER,  
HOSDURG POLICE STATION, KASARAGOD DISTRICT- 671 315**
- 3. K. CHANDRAN, AGED 41 YEARS,  
S/O.CHEERUKANDAN, KALLINKAL, CHITHARI GRAMAM,  
KASARAGOD DISTRICT- 671 316**

**R1 & R2 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE  
R3 BY ADV. SMT.P.R.SOPHIYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 25-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**sts**

**Crl.MC.No. 6197 of 2015 ()**  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES:**  
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- ANNEX A1:** CERTIFIED COPY OF THE FIR IN CRIME NO. 459/11 OF HOSDURG POLICE STATION IN KASARAGOD DISTRICT ALONG WITH STATEMENT OF THE 3RD RESPONDENT
- ANNEX A2:** CERTIFIED COPY OF THE FINAL REPORT IN CC NO. 737/11 OF JFCM COURT-I, HOSDURG IN CRIME NO. 459/11 OF HOSDURG POLICE STATION.
- ANNEX A3:** CERTIFIED COPY OF THE JUDGEMENT DATED 16/5/15 IN CC NO. 737/11 OF JFCM COURT -I, HOSDURG.
- ANNEX A4:** ORIGINAL AFFIDAVIT DATED 18/09/2015 SWORN BY THE 3RD RESPONDENT

**RESPONDENT(S)' ANNEXURES:** NIL  
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**/TRUE COPY/**

**P.S.TO JUDGE**

**sts**

**B.KEMAL PASHA, J.**

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CRL. M.C. No.6197 of 2015  
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Dated this the 25<sup>th</sup> day of September, 2015

**ORDER**

Petitioner is the 1<sup>st</sup> accused in Crime No.459/2011 of the Hosdurg Police Station registered for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 read with Section 34 of the Indian Penal Code. Investigation was over and the case was numbered as C.C.No.737/2011 of the Judicial First Class Magistrate's Court-I, Hosdurg.

2. The petitioner was absconding. The case against the petitioner was split up. The trial of the case as against all the other accused ended in an acquittal through Annexure

A3 judgment. Presently, the case against the petitioner is pending as C.C.No.1025/15 of the Judicial First Class Magistrate's Court-I, Hosdurg.

3. The petitioner and the defacto complainant have amicably settled the matter and presently the defacto complainant has no complaints against the petitioner. The defacto complainant, who is the 3<sup>rd</sup> respondent, has entered appearance and has filed Annexure A4 affidavit stating that the matter has been amicably settled and that he has no complaints against the petitioner. When the matter has been amicably settled between the parties, no purpose will be served in proceeding with the matter further. Matters being so, Annexure A2 final report and all further proceedings based on it in C.C.No.1025/2015 of the Judicial First Class Magistrate's Court-I, Hosdurg as against the petitioner can be quashed.

In the result, this Crl.M.C. is allowed and Annexure A2 final report and all further proceedings based on it in

C.C.No.1025/2015 of the Judicial First Class Magistrate's Court-I, Hosdurg as against the petitioner, are hereby quashed.

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

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[True copy]

P.S. to Judge