IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Crl.MC.No. 6203 of 2015 ()

CC.NO. 1499/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MANNARKAD

PETITIONERS/ACCUSED :

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1. **SHARAFUDHEEN**
   S/O. HAMZA, KAMBURATH HOUSE, KACHERIPARAMBU POST
   VETTUKALAM, MANNARKKAD, PALAKKAD DISTRICT.

2. **MUHAMMED BASHEER,**
   S/O. HAMZA, KULAPPURA HOUSE, THRIKKALOOR P.O.,
   POTTASSERI, MANNARKKAD, PALAKKAD DISTRICT.

3. **SABIRA BEEVI**
   W/O. IQBAL, NELLIKKUNNAN HOUSE, KACHERIPARAMBU POST
   MANNARKKAD, PALAKKAD DISTRICT.

4. **NEDEERA**
   W/O. MUHAMMED BASHEER,
   KULAPPURA HOUSE, THRIKKALOOR P.O.,
   POTTASSERI, MANNARKKAD, PALAKKAD DISTRICT

   BY ADV. SRI.P.JAYARAM

RESPONDENT(S) :

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1. **STATE OF KERALA**
   REPRESENTED BY PUBLIC PROSECUTOR
   HIGH COURTOF KERALA, ERNAKUKAM.

2. **ANEES ABDULLA**
   S/O. MOIDUPPA, CHUNGATH HOUSE, PAYYANEDOM P.O.,
   MANNARKKAD TALUK, PALAKKAD DISTRICT.

3. **SABOORA**
   W/O. SULTHAN, MALIYEKKAL HOUSE, KAITHACHIRA P.O.,
   MANNARKKAD TALUK, PALAKKAD DISTRICT.

4. **SREEVIDHYA**
   D/O. PADMANABHAN,
   VALLATHOL HOUSE, KANHIRAPUZHA P.O.,
   MANNARKKAD TALUK, PALAKKAD DISTRICT.

...2/-

5. DR. FIROZ BABU
S/O. ABDUL RAHIMAN, PEADIATRICIAN
NEW ALMA HOSPITAL LTD., PERIMBADARI P.O.,
MANNARKKAD TALUK, PALAKKAD DISTRICT.

6. DR. K.A. KAMMAPPA
S/O. ASSINAR, MEDICAL DIRECTOR
NEW ALMA HOSPITAL LTD., PERIMBADARI P.O.,
MANNARKKAD TALUK, PALAKKAD DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT. P. MAYA
R2 TO R6 BY ADV. SRI.A.HAROON RASHEED

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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...3/-

Crl.MC.No. 6203 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1:	**CERTIFIED COPY OF THE FIRST INFORMATION STATEMENT AND FIRST INFORMATION REPORT IN CRIME NO. 614/14 OF MANNARKKAD POLICE STATION.**
ANNEXURE A2:	**CERTIFIED COPY OF THE FINAL REPORT/CHARGE SHEET IN CRIME NO. 614/14 OF MANNARKKAD POLICE STATION SUBMITTED BEFORE JUDICIAL FIRST CLASS MAGISTRATE, MANNARKKAD.**
ANNEXURE A3:	**COPY OF THE MEMORANDUM OF EVIDENCE IN THE FINAL REPORT IN CRIME NO. 614/14, MANNARKKAD POLICE STATION.**
ANNEXURE A4:	**AFFIDAVIT DT. 31/8/15 SWORN TO AND EXECUTED BY 2ND RESPONDENT.**
ANNEXURE A5:	**AFFIDAVIT DT. 31/8/15 SWORN TO AND EXECUTED BY 3RD RESPONDENT.**
ANNEXURE A6:	**AFFIDAVIT DT. 31/8/15 SWORN TO AND EXECUTED BY 4TH RESPONDENT.**
ANNEXURE A7:	**AFFIDAVIT DT. 4/8/15 SWORN TO AND EXECUTED BY 5TH RESPONDENT.**
ANNEXURE A8:	**AFFIDAVIT DT. 31/8/15 SWORN TO AND EXECUTED BY 6TH RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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B. KEMAL PASHA, J.

Crl.M.C. No.6203 of 2015 E

Dated this the 28th day of September, 2015

O R D E R

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Petitioners are the accused in CC No.1499/2014 of the Judicial First Class Magistrate's Court, Mannarkkad for the offences punishable under Sections 143, 147, 294 (b), 323, 341, 427 and 452 read with Section 149 IPC and Section 3 read with Section 4 of the Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Act, 2012. The matter has been amicably settled between the parties. Respondents 2 to 6 are the injured and affected parties. Respondents 2 to 6 have filed separate affidavits affirming that the matter has been amicably settled between the parties and presently, they have no complaints against the petitioners.

2. The petitioners have no criminal antecedents on their part. When the said matter has been amicably settled between the parties, there is no meaning in proceeding with the matter further and, therefore, Annexure-A2 final report and all further proceedings based on it in CC No.1499/2014 of the Judicial First Class Magistrate's Court, Mannarkkad 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 CC No.1499/2014 of the Judicial First Class Magistrate's Court, Mannarkkad as against the petitioners are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/28/09

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PA to Judge