

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

**PRESENT:**

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

**TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937**

**Crl.MC.No. 6305 of 2015**  
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**C.C.NO.1204/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,  
KUNNAMANGALAM  
CRIME NO. 641/2013 OF KUNNAMANGALAM POLICE STATION**  
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**PETITIONER(S)/ACCUSED :**  
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1. SHAHIRSHAD T.P., AGED 21 YEARS,  
S/O.ASHRAF, KOYAPPAKKUTTY HOUSE, NIT,  
KALLANTHOD, CALICUT DISTRICT.
2. ABDUL LATHEEF N.P, AGED 28 YEARS,  
S/O.SYED, THATHAMMA PARAMBIL, NIT,  
KALLANTHOD, CALICUT DISTRICT.
3. SUBEESH T.P, AGED 22 YEARS,  
S/O.VASU, THATHAMMA PARAMBIL, NIT,  
KALLANTHOD, CALICUT DISTRICT.
4. MUHAMMED ANWAR T.P., AGED 25 YEARS,  
S/O.MUHAMMED, KOZHISSEKUNNU HOUSE, NAYARKUZZHI,  
10TH MILE, CALICUT DISTRICT.
5. NAVAS @ ANDHRA NAVAS, AGED 25 YEARS,  
S/O.AALI, KOYAPPAKKUTTY HOUSE, REC,  
NIT KALLANTHOD, CALICUT DISTRICT.

**BY ADV. SRI.C.M.MOHAMMED IQUABAL**

**RESPONDENT(S)/STATE & COMPLAINANTS :**  
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1. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-31.
2. ASHIQ C.T, AGED 22 YEARS,  
S/O.SHAJAHAN, KAVETTYKUZHI HOUSE, P.O.CHENNAMANGALLOOR,  
MUKKAM, KOZHIKODE DISTRICT, PIN-673 602.

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- 3. NASEEM U.K, AGED 23 YEARS,  
S/O.IBRAHIM U.K, UNNIKKORAN KUZHIYIL HOUSE,  
KODUVALLYP.O., KOZHIKODE DISTRICT, PIN- 673 602.**
- 4. SHAFEEQUE, AGED 23 YEARS,  
S/O.ABDU RAHIMAN, NAROOKKIL HOUSE, POST KODUVALLY,  
KOZHIKODE DISTRICT, PIN- 673 602.**
- 5. SAJEER ABU, AGED 23 YEARS,  
S/O.ABOOBACKER, PEEDIKA THODUVEL HOUSE,  
VELIMANNA.P.O., THAMARASSERY, KOZHIKODE DISTRICT,  
PIN-673 582.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA  
R2 TO R5 BY ADV. SMT.ANJALI G.KRISHNAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' ANNEXURES :**

- ANNEXURE A1:** THE TRUE COPY OF THE FIR IN CRIME NO.641/2013 DATED 13.09.2013.
- ANNEXURE A2:** THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.641/2013 OF KUNNAMANGALAM POLICE STATION DATED 10.10.2013.
- ANNEXURE A3:** THE TRUE COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME NO.641/2013 OF KUNNAMANGALAM POLICE STATION DATED 10.10.2013.
- ANNEXURE A4:** THE TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT DATED 20.08.2015.
- ANNEXURE A5:** THE TRUE COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT DATED 17.06.2015.
- ANNEXURE A6:** THE TRUE COPY OF THE AFFIDAVIT OF THE 4TH RESPONDENT DATED 17.06.2015.
- ANNEXURE A7:** THE TRUE COPY OF THE AFFIDAVIT OF THE 5TH RESPONDENT DATED 17.06.2015.

**RESPONDENT(S)' ANNEXURES :**

**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**B.KEMAL PASHA, J.**

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CRL.M.C. No.6305 of 2015

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Dated this the 6<sup>th</sup> day of October, 2015

**ORDER**

The petitioners are the accused in C.C.No.1204 of 2013 of the Judicial First Class Magistrate's Court-I, Kunnamangalam, which has arisen from Crime No.641 of 2013 of the Kunnamangalam Police Station, for the offences punishable under Sections 143, 144, 147, 148, 341, 323 and 324 IPC read with Section 149 IPC.

2. Presently, the matter has been amicably settled between the defacto complainant and the injured witnesses, who are respondents 2 to 5 herein, with the petitioners. Respondents 2 to 5 herein have filed Annexure A4, Annexure

A5, Annexure A6 and Annexure A7 affidavits confirming that the matter has been amicably settled between them and the petitioners and they have no complaints against the petitioners. It seems that the injuries allegedly caused to respondents 2 to 5 were also trivial. When the matter has been amicably settled between the parties, there is no meaning in proceeding with the matter further and no fruitful purpose would be served. No criminal antecedents have been reported against any of the petitioners. Considering all the above, this Court is of the view that Annexure A1 First Information Report and Annexure A2 Final Report in Crime No.641 of 2013 of the Kunnamangalam Police Station and all further proceedings in C.C.No.1204 of 2013 of the Judicial First Class Magistrate's Court-I, Kunnamangalam based on it can be quashed.

In the result, this Crl.M.C. is allowed and Annexure A1 First Information Report and Annexure A2 Final Report in Crime No.641 of 2013 of the Kunnamangalam Police Station

and all further proceedings based on it in C.C.No.1204 of 2013 of the Judicial First Class Magistrate's Court-I, Kunnamangalam are hereby quashed.

Sd/-

**B. KEMAL PASHA**  
**JUDGE**

*DSV/7/10/15*

*// True Copy //*

*P.A. To Judge*