

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. 6306 of 2015

CC 1282/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KUNNAMANGALAM
CRIME NO. 717/2013 OF KUNNAMANGALAM POLICE STATION, KOZHIKODE

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PETITIONER(S)/ACCUSED:

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- 1. SUHAIR K.T., AGED 24 YEARS,
S/O.HAMSA HAJI, BENSHEER MANZIL, NIT,
PULLAVOOR POST, CALICUT DISTRICT.**
 - 2. MANSHID K.K., AGED 25 YEARS,
S/O.MUHAMMED, THADAYIL HOUSE, REC PULLAVOOR POST,
CALICUT DISTRICT.**
 - 3. RAFEEQUE, AGED 22 YEARS,
S/O.RAZAK, PILATHOTTATHIL HOUSE, REC PULLAVOOR POST,
CALICUT DISTRICT.**
 - 4. SUHAIL, AGED 24 YEARS,
S/O.HAMZA HAJI, BENSHEER MANZIL, NIT,
PULLAVOOR POST, CALICUT DISTRICT.**
 - 5. JAMSHID, AGED 27 YEARS,
S/O.ABDUL MAJEED, PERUMPANANGAL HOUSE, MALAYAMMA,
POST PULLANNUR, 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. ABDUL LATHEEF, AGED 29 YEARS,
S/O.SAIDU, THATHAMMAPARAMBIL HOUSE, KALANTHODE,
P.O. REC, KOZHIKODE DISTRICT - 673 601.**
 - 3. MUHAMMED ANWAR, AGED 25 YEARS,
S/O.MUHAMMED, KOYISSERYKUNNU HOUSE, PARATHAPPOYIL,
P.O.NAYARKUZHI, KOZHIKODE DISTRICT, PIN-673 601.**

R1 & R2 BY ADV. SRI.ANJALI G. KRISHNAN
R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

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

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEUXRE A1- THE TRUE COPY OF THE FIR IN CRIME NO.717/2013 OF
KUNNAMANGALAM POLICE DATED 11.10.2013.**

**ANNEXURE A2- THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.717/2013 OF
KUNNAMANGALAM POLICE STATION DATED 08.11.2013.**

**ANNEXURE A3- THE TRUE COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME
NO.717/2013 OF KUNNAMANGALAM POLICE STATION
DATED 08.11.2013.**

**ANNEXURE A4- THE TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT
DATED 15.7.2015.**

**ANNEXURE A5- THE TRUE COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT
DATED 15.7.2015.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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CRL.M.C. No.6306 of 2015

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Dated this the 6th day of October, 2015

ORDER

The petitioners are the accused in C.C.No.1283 of 2013 of the Judicial First Class Magistrate's Court-I, Kunnamangalam, which has arisen from Crime No.717 of 2013 of the Kunnamangalam Police Station, for the offences punishable under Sections 143, 144, 147, 148, 341, 323, 324 and 506(1) IPC read with Section 149 IPC.

2. Presently, the matter has been amicably settled between the defacto complainant and the injured witness, who are respondents 2 and 3 herein, with the petitioners. Respondents 2 and 3 herein have filed Annexure A4 and Annexure A5 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 and 3 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.717 of 2013 of the Kunnamangalam Police Station and all further proceedings in C.C.No.1282 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.717 of 2013 of the Kunnamangalam Police Station and all further proceedings based on it in C.C.No.1282 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