

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Crl.MC.No. 6315 of 2015

**CC 165/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, PERINTHALMANNA.
CRIME NO. 214/2012 OF PERINTHALMANNA POLICE STATION, MALAPPURAM.**
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PETITIONER(S)/ACCUSED :

1. SAKKIR, S/O. MOIDU, AGED 29 YEARS,
VALIYATHODI VEEDU, KUNNAKKAV,
ELAMKULAM, PERINTHALMANNA,
MALAPPURAM DISTRICT.
2. SALIM, S/O. MOIDEENKUTTY, AGED 29 YEARS,
VALIYATHODI VEEDU, KUNNAKKAV, ELAMKULAM,
PERINTHALMANNA, MALAPPURAM DISTRICT.
3. FAIZAL, S/O. HUSSAIN, AGED 21 YEARS,
VALIYATHODI VEEDU, KUNNAKKAV, ELAMKULAM,
PERINTHALMANNA, MALAPPURAM DISTRICT.
4. SIDDIQUE, S/O. MUHAMMED, AGED 31 YEARS,
CHELLAVAMPEN, KUNNAKKAV, ELAMKULAM,
PERINTHALMANNA, MALAPPURAM DISTRICT.
5. NAJMUDHEEN, S/O. MUHAMMADALI, AGED 29 YEARS,
POTTAKULATHIL HOUSE, KUNNAKKAV, ELAMKULAM,
PERINTHALMANNA, MALAPPURAM DISTRICT.
6. JASEEM, S/O. UMMAR, AGED 26 YEARS,
VADAKKATH HOUSE, KUNNAKKAV, ELAMKULAM,
PERINTHALMANNA, MALAPPURAM DISTRICT.

BY ADV. SRI.C.M.KAMMAPPU

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT/INJURED :

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.

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- 2. SAINUDHEEN, S/O. POKER, AGED 33 YEARS,
POTTAKULATHIL HOUSE, PALATHOLE P.O.,
MALAPPURAM DISTRICT-679 026.**
- 3. SHAMSEER ALI, S/O. UMMAR, AGED 21 YEARS,
POTTAKULATHIL HOUSE, PALATHOLE P.O.,
MALAPPURAM DISTRICT-679 026.**

**R1 BY PUBLIC PROSECUTOR SMT.P.MAYA
R2 & R3 BY SRI.MANSOOR.B.H.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE A : TRUE COPY OF FINAL REPORT IN CRIME NO.214/2012 OF
PERINTHALMANNA POLICE STATION.

ANNEXURE B : TRUE COPY OF THE ADVISE MEMO RECEIVED TO
5TH PETITIONER FROM THE KPSC DISTRICT OFFICE,
MALAPPURAM.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 6315 of 2015

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Dated this the 30th day of September, 2015

ORDER

Petitioners are the accused in C.C No.165/2013 of the Judicial First Class Magistrate's Court-I, Perinthalmanna, which has arisen from Crime No.214/12 of the Perinthalmanna Police Station, for the offences under Sections 323, 324 and 427 read with Section 34 IPC.

2. The matter has been amicably settled between the parties. The de facto complainant and the other injured, who are respondents 2 and 3 have filed separate affidavits affirming that the matter has been amicably settled between the parties and they have no complaints against the petitioners.

3. As the 3rd respondent was a juvenile during the period of incident, presently, the case is pending for

committal as C.P No.47/2015. When the matter has been settled, the case need not be committed and all further proceedings in C.P.No.47/2015 of the Judicial First Class Magistrate's Court-I, Perinthalmanna based on Annexure A final report, can be quashed.

In the result, this Crl.M.C is allowed and Annexure A final report and all further proceedings in C.P.No.47/2015 in C.C No.165/2013 of the Judicial First Class Magistrate's Court-I, Perinthalmanna based on it, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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