

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

Crl.MC.No. 6340 of 2015

C.C.NO.685/2015 OF CHIEF JUDICIAL MAGISTRATE COURT, THALASSERY

CRIME NO. 332/2009 OF CHAKKARAKKAL POLICE SATION , KANNUR DISTRICT

PETITIONER(S)/4TH ACCUSED :

**P. SHAHUD,
S/O.ABDUL KHADER, FATHIMA NIVAS, PURATHIYIL,
VALIYANNUR, KANNUR-670 594.**

BY ADV. SRI.P.K.RAVISANKAR

RESPONDENT(S)/STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A: TRUE COPY OF THE FINAL REPORT SUBMITTED BY
THE POLICE IN CRIME NO.332 OF 2009 OF CHAKKARAKKAL
POLICE STATION.**

**ANNEXURE B: TRUE COPY OF THE JUDGMENT DATED 29.10.2014 IN
C.C.NO.72 OF 2010 ON THE FILE OF CHIEF JUDICIAL
MAGISTRATE COURT, THALASSERY.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

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Crl.M.C. No. 6340 of 2015

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Dated this the 12th day of October, 2015

ORDER

The petitioner was the 4th accused in C.C No.72/2010 of the Chief Judicial Magistrate's Court, Thalassery, which had arisen from Crime No.332/2009 of the Chakkarakal Police Station, Kannur District, registered for the offences under Sections 143, 147, 448 and 427 read with Section 149 IPC.

2. As the petitioner was absconding, the case against other accused was proceeded with and all the other accused, who are A1 to A3 and A5 to A8 were acquitted. The case against the petitioner is re-filed and presently pending as C.C No. 685/2015 of the Chief Judicial Magistrate's Court, Thalassery.

3. On going through the matter, it seems that nobody

was interested to adduce evidence in the matter and all the other accused were acquitted. Even if the trial as against the present petitioner alone is continued, no fruitful purpose would be served and it would be a waste of time. Matters being so, the case, in which, all further proceedings in C.C No.685/2015 of the Chief Judicial Magistrate's Court, Thalassery as against the petitioner, can be quashed.

In the result, this Crl.M.C is allowed and all further proceedings in C.C No.685/2015 of the Chief Judicial Magistrate's Court, Thalassery, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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