

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Crl.MC.No. 6350 of 2015

***SC.NO.74/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ATTINGAL
(CORRECTED).**

***CORRECTED AS SC 455/2015 OF ASSISTANT SESSIONS COURT, ATTINGAL AS PER
ORDER DATED 29.10.2015 IN CRL.M.A.NO.9920/2015 IN CRL.MC.NO.6350/2015.
CRIME NO. 1137/2014 OF KAZHAKKUTTOM POLICE STATION ,
THIRUVANANTHAPURAM.**

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PETITIONER(S)/ACCUSED 1 TO 8:

1. ARUN, AGED 29 YEARS, S/O.THULASI,
PARAKKUDI VEEDU, KIZHAKKUMKARA,
KULATHOOR P.O, THIRUVANANTHAPURAM.
2. SUDEESH, AGED 29 YEARS, S/O.REMANAN,
CHARUVILAVEEDU, KIZHAKKUMKARA,
KULATHOOR P.O, THIRUVANANTHAPURAM.
3. SUJITHKUMAR R.S., AGED 29 YEARS, S/O.REGHU,
REGHUBHAVAN, THAMBURAN NADA, KULATHOOR P.O,
THIRUVANANTHAPURAM.
4. SOORAJ, AGED 19 YEARS, S/O.NAKULAM,
CHIRAYRIKATHUPUTHUVAL PUTHENVEEDU,
MENAMKULAM P.O, THIRUVANANTHAPURAM.
5. SUKESH R.S., AGED 19 YEARS, S/O.RAJENDRAN,
VALIYAVILAKATHU VEEDU, VAZHAPPANA,
KULATHOOR P.O, THIRUVANANTHAPURAM.
6. MANUMOHAN, AGED 22 YEARS, S/O.MOHANAN,
CHIRAVILAKOM, ATTINKUZH, KAZHAKUTTOM P.O,
THIRUVANANTHAPURAM.
7. ARJUN, AGED 19 YEARS, S/O.MURUGAN, PT SADANAM,
ARASUMOODU, KULATHOOR P.O, THIRUVANANTHAPURAM.
8. AMBILI A.S., AGED 19 YEARS, S/O.AMBUJAN, AJI BHAVAN,
KARIMANAL, KULATHOOR P.O, THIRUVANANTHAPURAM.

BY ADV. SRI.K.NIRMALAN

Crl.MC.No. 6350 of 2015

RESPONDENT(S)/STATE AND THE INJURED:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA - 682 031.
2. RAJESH, AGED 26 YEARS, S/O.RAJENDRAN,
RAJEEV BHAVAN, MANAKADIL VEEDU, MADANNADA,
KULATHOOR P.O, THIRUVANANTHAPURAM - 695 001.

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.A.RAJASIMHAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-10-2015 THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

Crl.MC.No. 6350 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1 - CERTIFIED COPY OF THE FINAL REPORT IN SC NO.455/2015
PENDING BEFORE THE ASSISTANT SESSIONS COURT,
ATTINGAL.**

RESPONDENT(S)' ANNEXURES: **NIL**

//TRUE COPY//

P.S. TO JUDGE

mbr/

B.KEMAL PASHA, J.

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Crl.M.C. No. 6350 of 2015

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Dated this the 29th day of October, 2015

ORDER

The petitioners are the accused in Sessions Case No.455 of 2015 of the Assistant Sessions Court, Attingal, which has arisen from Crime No.1137 of 2014 of the Kazhakuttam Police Station, for the offences under Sections 143, 147, 148, 323, 324 308 and 452 IPC read with Section 149 IPC and Section 27 of the Arms Act.

2. Even though the offence under Section 27 of the Arms Act is also shown, no sufficient ingredients are available in this

case to invite the offence under Section 27 of the Arms Act. Over and above it, it seems that the injuries sustained to the defacto complainant, who is the 2nd respondent herein, are trivial and therefore, there are no ingredients to invite an offence under Section 308 IPC also. The matter involved has been amicably settled between the parties.

3. The 2nd respondent has filed an affidavit affirming that the matter has been amicably settled between them and he has no complaints against the petitioners. When the matter has been amicably settled between the parties and they are living in harmony, no purpose would be served in proceeding with the matter further. Matters being so, all further proceedings in S.C.No.455 of 2015 of the Assistant Sessions Court, Attingal based on Annexure-A1 Final Report in Crime No.1137 of 2014 of the Kazhakuttam Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in S.C.No.455 of 2015 of the Assistant Sessions

Court, Attingal based on Annexure-A1 Final Report in Crime No.1137 of 2014 of the Kazhakuttam Police Station, can be quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/30/10/15

// True Copy //

P.A. To Judge