

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Crl.MC.No. 6364 of 2015 ()

CC.NO. 398/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOLLAM

PETITIONERS/ACCUSED NO.1 TO 5 :

1. GANESH, AGED 27,
S/O.SUKUMARACHITHU,
KONAMMURIYIL HOUSE, GEETHANJALI
KARIPRA VILLAGE, THALAYOOR, KOLLAM.
2. NOUFAL A. RAHIM, AGED 26,
VADAKKEVILA HOUSE, PEROORCHERIYIL,
KOTTAMKARA VILLAGE, KOLLAM DISRICT.
3. ANSHAD, AGED 28,
S/O.KHALIDKUTTY, ANSHADMANZIL,
KANDAMKOTTUCHERIYIL, VELIYAM VILLAGE,
KOLLAM.
4. CHINTHU,
AGED 28, S/O.NUMSHID,
CHINTHUMANZIL, PANAPPETTYMURIYIL
SASTHAMKOTTACHERIYIL, KUNNTHOOR THALUK,
KOLLAM.
5. RADHULMOHANAN
AGED 27, S/O.MOHANAN, RADHUL NIVAS, VALLAM WARD
NEDUVATHOOR VILLAGE, KOLLAM.

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.K.R.ARUN KRISHNAN**

RESPONDENTS/RESPONDENT AND COMPLAINANTS 1 TO 3 :

1. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA- 682031.

2. AJEESH,
AGED 28, S/O.AJAYAKUMAR,
PLANTHOTTATHUVEETIL, THEKKECHERIYIL
THRIKKARUVA VILLAGE, KOLLAM - 673001.
3. RAMESH, AGED 28,
S/O.RAGHUNATHAN NAIR, BEN HOUSE, PUNNATHADACHERIYIL
KOLLAM WEST VILLAGE, KOLLAM - 673001.
4. RISHI, AGED 27,
S/O.SREENIVAS, THIRUVONAM HOUSE, KAPPAKKAM WARD
KOLLAM EAST VILLAGE, KOLLAM - 673001.

R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE
R2 TO R4 BY ADV. SRI. N.L. BITTO

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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...3/-

Crl.MC.No. 6364 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE-A: CERTIFIED COPY OF THE FIR NO.103 OF 2008 DATED
26.02.2008.**

**ANNEXURE-B: CERTIFIED COPY OF THE CHARGE SHEET IN C.C.
NO.398 OF 2010 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT NO.1, KOLLAM DATED 23.04.2008.**

ANNEXURE-C: CERTIFIED COPY OF WOUND CERTIFICATE DATED 25.02.2008.

**ANNEXURE-D: AFFIDAVIT DATED 27.07.2015 SWORN BY THE RESPONDENTS
2 TO 4/DEFACTO COMPLAINANT AND INJURED.**

RESPONDENT(S)' ANNEXURES : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

B. KEMAL PASHA, J.

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CRL. M.C. No. 6364 of 2015
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Dated this the 13th day of October, 2015

ORDER

Petitioners are accused in C.C.No.398/2010 of the Judicial First Class Magistrate's Court-I, Kollam, which has arisen from Crime No.103/2008 of the Anchazhummoodu Police Station, Kollam District, registered for the offences punishable under Sections 143, 147, 323 and 324 of the Indian Penal Code read with Section 149 IPC.

2. On going through the records, it has come out that the matter has been amicably settled between the petitioners and the defacto complainant and the other injured, who are respondents 2 to 4. The injuries noted are

trivial in nature. No criminal antecedents have been reported against the petitioners.

3. Respondents 2 to 4 have filed separate affidavits affirming that the matter has been amicably settled between them and the petitioners. When the matter has been amicably settled, there is no meaning in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in C.C.No.398/2010 on the file of the Judicial First Class Magistrate's Court-I, Kollam, are liable to be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings against the petitioners in C.C.No.398/2010 on the file of the Judicial First Class Magistrate's Court-I, Kollam, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge