

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Crl.MC.No. 6384 of 2015

**CC 1697/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,TIRUR.
CRIME NO. 122/2009 OF VALANCHERY POLICE STATION, MALAPPURAM.**
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PETITIONER(S)/ACCUSED 1 TO 3 IN C.C 1697/2014 OF JFCM, TIRUR.:

- 1. SAFIYA SHOUKATHALI,
W/O.SHOUKATHALI, AGED 50 YEARS,
RESIDING AT KEHATH VEEDU, PAINKANNOOR,
PANDIKASHALA, KATTIPARUTHI, MALAPPURAM-679 571.**
- 2. SHOUKATHALI, S/O.ABOOBACKER, AGED 58 YEARS,
RESIDING AT KEHATH VEEDU, PAINKANNOOR,
PANDIKASHALA, KATTIPARUTHI, MALAPPURAM-679 571.**
- 3. SHEKHARAN, AGED 58 YEARS, RESIDING AT
SREEBHAVAN, NELLAYA, CHERPULLASSERY.P.O.,
PALAKKAD-679 503.**

**BY ADVS.SRI.NIRMAL V NAIR
SRI.ANEESH JOSEPH
SRI.RILGIN V.GEORGE
SRI.LIJO VARGHESE**

RESPONDENT(S)/DE FACTO COMPLAINANT AND STATE:

- 1. K.H.MUSTHAFA, S/O.ABOOBACKER, AGED 58 YEARS,
RESIDING AT KEHATH HOUSE, MAMBAD AMSOM AND
DESOM, MAMBAD.P.O., BEEMBUNGAL,
NILAMBOOR TALUK, MALAPPURAM-679 571.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.682 031.**

**R1 BY ADV. SRI.RAHUL SASI
R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1- THE CERTIFIED COPY OF THE FIR IN CRIME NO.122/2009 OF
 THE VALANCHERY POLICE STATION.**
- ANNEXURE A2- THE CERTIFIED COPY OF THE FINAL REPORT IN C.C.1697/2014
 ON THE FILES OF THE JUDICIAL MAGISTRATE OF FIRST
 CLASS, TIRUR.**
- ANNEXURE A3- A TRUE COPY OF THE AFFIDAVIT SWORN BY THE
 1ST RESPONDENT.**

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.6384 of 2015 B
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Dated this the 14th day of October, 2015

ORDER

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Petitioners are accused Nos.1 to 3 in Crime No.122/2009 of Valanchery Police Station for the offences punishable under Sections 419, 420, 465, 468, 469 and 471 read with Section 34 IPC.

2. The allegation against the petitioners is that they have forged and fabricated false documents, committed impersonation and obtained an amount of ₹5 lakhs from the Dhanalakshmi Bank, as if the loan is taken by CW1 and his brother.

3. Presently, the matter has been amicably settled between the parties. The de facto complainant, who is the 1<sup>st</sup> respondent herein, has filed Annexure-A3 affidavit affirming that the matter has been amicably settled between

the parties and he has no complaints against the petitioners.

4. The learned counsel for the petitioners has produced a certificate issued by the Dhanalakshmi Bank stating that all the amounts towards the loan have been discharged and the Bank has no complaints in the matter.

5. Considering the seriousness of the allegations against the petitioners, this is not a fit case wherein this Court can accept and endorse the settlement arrived at between the parties. At the same time, the court below can take note of that fact, take the case out of turn and dispose it of expeditiously, by taking into account the settlement arrived at between the parties.

With the said observations, this CrI.M.C. is dismissed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/14/10

*// True Copy //*

*PA to Judge*