

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. 6400 of 2015

**CC 671/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-III, KOZHIKODE
CRIME NO. 131/2010 OF PANNIYANKARA POLICE STATION , KOZHIKODE**

PETITIONER(S)/ACCUSED:

**K.ABHILASH, AGED 35 YEARS,
S/O.RAJAN, THATTRAKANDI HOUSE, P.O.WESTHILL,
KOZHIKODE DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT(S)/STATE/DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**
- 2. SUBHASH RAO, AGED 34 YEARS,
S/O.BABU RAO, NEW WORLD, THIRUVANNOOR,
KOZHIKODE TALUK, KOZHIKODE DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.V.V.JOY**

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

PJ

Crl.MC.No. 6400 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A- TRUE COPY OF THE FINAL REPORT FILED BY THE PANNIYANKARA
POLICE BEFORE THE LEARNED JUDICIAL FIRST CLASS MAGISTRATE
COURT NO.III, KOZHIKODE.**

**ANNEXURE B- TRUE COPY OF THE JUDGMENT DT. 24.07.2012 OF THE LEARNED
JFCM NO.III, KOZHIKODE IN C.C.NO.671/2010.**

**ANNEXURE C- TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE DEFACTO
COMPLAINANT.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

.....
CRL. M.C. No. 6400 of 2015
.....

Dated this the 14th day of October, 2015

ORDER

Petitioner is the accused in C.C.No.521/2012 of the Judicial First Class Magistrate's Court-III, Kozhikode, which has been split up from C.C.No.671/2010 of the said court, registered for the offences punishable under Sections 143, 147, 448, 427 and 506(i) read with Section 149 of the Indian Penal Code. The same has arisen from Crime No.131/2010 of Panniyankara Police Station.

2. All the other accused in the case except the petitioner, had faced the trial, and they were acquitted through Annexure B judgment. The petitioner could not participate in the said trial and consequently the case against him was split up.

3. Presently, the matter has been amicably settled

between the parties. The defacto complainant has filed Annexure-C affidavit stating that the matter has been amicably settled between the 2nd respondent herein and the petitioner. The offences are compoundable. When the matter stands amicably settled, Annexure-A final report and all further proceedings pending against the petitioner in C.C.No.521/12 of the Judicial First Class Magistrate's Court-III, Kozhikode arising from Crime No.131/2010 of the Panniyankara Police Station, Kozhikode are liable to be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings pending against the petitioner in C.C.No.521/12 of the Judicial First Class Magistrate's Court-III, Kozhikode arising from Crime No.131/2010 of the Panniyankara Police Station, Kozhikode are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/- [True copy]

P.S. to Judge