

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Crl.MC.No. 6413 of 2015 ()

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CC. NO.314/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
PATHANAMTHITTA.**

CRIME NO. 984/2010 OF PATHANAMTHITTA POLICE STATION.

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PETITIONERS/ACCUSED NOS.1 & 2:

- 1. VAISAKH DEV, AGED 25 YEARS,
S/O.VAMADEVAN, KALPAKASSERIL HOUSE,
ANAPARA, KANNANGARI MURI, PATHANAMTHITTA.**
- 2. VISHNUDAS, AGED 25 YEARS,
S/O.SADANANDAN, M.C.M. BUILDING, MELEVETTIPURAM,
VETTIPPURAM MURI, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.NIREESH MATHEW.

RESPONDENTS/STATE & DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. DILSHAD, AGED 25 YEARS,
S/O.HASSAN, SHAMNAD MANZIL, MELEVETTIPPURAM,
VETTIPPURAM MURI, PATHANAMTHITTA VILLAGE,
PATHANAMTHITTA TALUK, PIN-689 645.**

R1 BY PUBLIC PROSECUTOR SMT.P. MAYA.

R2 BY ADV. SRI.VIVEK VENUGOPAL.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A- PHOTOCOPY OF THE FINAL REPORT IN C.C.NO.314/2010 ON
THE FILE OF THE JUDL. FIRST CLASS MAGISTRATE COURT-I,
PATHANAMTHITTA, WHICH IS ARISEN FROM
CRIME NO.984/2010 OF PATHANAMTHITTA POLICE STATION.**
- ANNEXURE B- THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE
RESPONDENT NO.2 BEFORE A NOTARY AT PATHANAMTHITTA,
DATED 22.09.2015.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

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Crl.M.C. No.6413 of 2015 E
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Dated this the 15th day of October, 2015

O R D E R

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Petitioner is the accused in CC No.314/2010 of the Judicial First Class Magistrate's Court-I, Pathanamthitta, which has arisen from Crime No.984/2010 of Pathanamthitta Police Station, for the offences punishable under Sections 323 and 324 read with Section 34 IPC.

2. It seems that the injuries sustained to the de facto complainant, who is the 2nd respondent herein, are trivial. No criminal antecedents have been reported against the petitioner. The matter has been amicably settled between the parties. The 2nd respondent has filed Annexure-B affidavit affirming that the matter has been settled amicably and he has no complaints against the petitioner. When the

matter has been settled between the parties and the de facto complainant has no complaints against the petitioner, this Court is of the view that Annexure-A final report and all further proceedings in CC No.314/2010 of the Judicial First Class Magistrate's Court-I, Pathanamthitta, which has arisen from Crime No.984/2010 of Pathanamthitta Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-A final report and all further proceedings in CC No.314/2010 of the Judicial First Class Magistrate's Court-I, Pathanamthitta, which has arisen from Crime No.984/2010 of Pathanamthitta Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/15/10

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PA to Judge