

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Crl.MC.No. 6421 of 2015 ()

**CRIME NO. 1654/2014 OF KANNUR TOWN, KANNUR UNDER THE JURISDICTION OF
JUDICIAL FIRST CLASS MAGISTRATE COURT- PAYYANNUR, KANNUR DISTRICT**

PETITIONERS/ ACCUSED 1 TO 6 IN THE CRIME :

- 1. VYSAKH. M., AGED 24 YEARS, S/O. MANOHARAN,
UMESH NIVAS, ELAYAVOOR, THAZHE CHOVVA, KANNUR**
- 2. SARATH. T, AGED 21 YEARS, S/O. SASI, THALLI HOUSE,
ELAYAVOOR, THAZHE VHOVVA, KANNUR - 670018.**
- 3. VYSAKH K., AGED 19 YEARS, S/O. VINOD, KOLERI HOUSE,
ELAYAVOOR, THAZHE CHOVVA, KANNUR.**
- 4. SANIL. T., AGED 18 YEARS, S/O. SAIS, THALLI HOUSE,
ELAYAVOOR, THAZHE CHOVA, KANNUR - 670018.**
- 5. SARATH T., AGED 19 YEARS, S/O. SASI, THALLI HOUSE,
ELAYAVOOR, THAZHE CHOVA, KANNUR - 670018.**

BY ADV. SMT.T.THASMI

RESPONDENTS/COMPLAINANTS :

- 1. STATE OF KERALA, REPRESENTED ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT, KOCHI - 682031.**
- 2. STATION HOUSE OFFICER, KANNUR TOWN PS KANNUR DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
OFFICE OF THE ADVOCATE GENERAL, HIGH COURT, KOCHI - 682031.**
- 3. SARAN BABU T.B, S/O. OF BABU, AGED 19 YEARS,
CHELLAM NIVAS, CHENGALATH VAYAL, NEAR RAILWAY GATE,
THAZHE CHOVVA, KANNUR - 670003.**
- 4. KIRAN M., AGED 20 YEARS, S/O. GOPALAN,MANDALAM,
SOUTH BAZAR, KANNUR - 670001.**
- 5. ARUN M., AGED 22 YEARS, S/O. GOPALAN, MANDALAM,
SOUTH BAZAR, KANNUR - 670002.**

6. SREEKANTH M.N. AGED 23 YEARS, S/O. SREERAMAN, THAZHE THERU, KANNUR - 670004.
7. RISHIKESH V., AGED 19 YEARS, S/O. DIVAKARAN, SOUTH BAZR, KANNUR - 670002.
8. JAYESH R., AGED 19 YEARS, S/O. MANI, MEENAKZHI, NARAR S.N. COLLEGE, ELAYAVOOR, THOTTADA, KANNUR - 670005.
9. AJITH P., AGED 18 YEARS, S/O. MADHURAN, PAPPAL HOUSE, SOUTH BAZAR, KANNUR - 670002.
10. VARUN M.N. AGED 21 YEARS, S/O. JAYADEVAN, THIRUPATHI HOUSE, SOUTH BAZAR, KANNUR - 670002.
11. VISWANATHAN M.N., AGED 22 YEARS, S/O. MANIDAS, MANGANELLI HOUSE, SOUTH BAZAR, KANNUR - 670002.
12. AKHILESH V., AGED 18 EYARS, S/O. DIVAKARAN, SOUTH BAZAR, KANNUR - 670002.
13. MAHESH M. AGED 32 YEARS, S/O. BALAKRISHNAN, MAHESH NIVAS, PADANNA PALAM, CHALAD, KANNUR - 670003.

R1 & R2 BY PUBLIC PROSECUTOR SMT. P. MAYA
R3 TO 13 BY ADV. DR.K.P.PRADEEP

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 07-10-2015, ALONG WITH CRMC. 6422/2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

bp

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE A1: COPY OF THE FIR IN CRIME NO. 1654 OF 2014 DT 10/11/2014 OF THE KANNUR TOWN POLICE STATION, KANNUR DISTRICT FILED AND PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT - I AT KANNUR.

ANNEXURE A2: COPY OF THE AFFIDAVIT SIGNED N 20/9/2015.

//TRUE COPY//

P.A.T O JUDGE

bp

B. KEMAL PASHA, J.

.....
CRL. M.C. Nos. 6421 & 6422 of 2015
.....

Dated this the 7th day of October, 2015

ORDER

Crl.M.C.No.6421/15 is in respect of Crime No.1654/2014 of the Kannur Town Police Station, registered for the offences punishable under Sections 143, 147, 148, 323, 324, 506(2) and 427 read with Section 149 of the Indian Penal Code. The said case is counter to Crime No.1654/14 of the Kannur Town Police Station. Investigation of the said crime is over and final report has been filed.

2. Crl.M.C.No.6422/15 is in respect of Crime No.1459/2014 of the Kannur Town Police Station, registered for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 read with Section 149 of the Indian Penal Code. Investigation in this case is over and final report has

been filed in the matter for the aforesaid offences.

3. Heard both sides. It has been reported by the learned Public Prosecutor that no criminal antecedents are their on the part of any of the petitioners.

4. On going through the wound certificates in both the cases it has come out that the injuries are trivial. In the matter relating to Crime No.1459/2014 respondents 3 and 4 are the injured. The 3rd respondent is the 4th petitioner in Crl.M.C.No.6421/15. The aforesaid respondents 3 and 4 along with others and the accused have filed a joint affidavit regarding the compromise of the case in both the cases, and they, including the injured persons have sworn in the said affidavit. In the affidavit, it is affirmed that the matter has been amicably settled between them and they have no complaints each other. When the matter has been amicably settled between the parties and they have no complaints each other, no purpose would be served in proceeding with the matter further. Matters being so, Annexure A1 FIRs and

final report in Crime No.1654/14 of the Kannur Town Police Station, and final report in Crime No.1459/14 of the said Police Station presently pending as C.C.No.984/2015 before the Judicial First Class Magistrate's Court-I, Kannur, are liable to be quashed.

In the result, Annexure A1 FIRs and final report in Crime No.1654/14 of the Kannur Town Police Station, and final report in Crime No.1459/14 of the said Police Station presently pending as C.C.No.984/2015 before the Judicial First Class Magistrate's Court-I, Kannur, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge