

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Crl.MC.No. 6471 of 2015 ()

**CC.NO. 605/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD
CRIME NO. 7/2014 OF VIDYANAGAR POLICE STATION , KASARGOD DISTRICT**

PETITIONER(S)/ACCUSED:

- 1. E.H.ABDULKHADER, AGED 77 YEARS,
S/O.EBRAHIM HAJI, MAATHAL HOUSE, BENDICHAL,
CHATTAMCHAL, THEKKIL VILLAGE, KASARAGOD.**
- 2. MUHAMMED FAHAD B.A., AGED 29 YEARS,
S/O.ABDULLA B.M, LAILA MANZIL, BANGARAKKUNNU,
KASBA VILLAGE, KASARAGOD.**

BY ADV. SRI.S.JIJI

RESPONDENT(S)/STATE & INJURED :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. ABDULKHADER.C.A., AGED 43 YEARS, S/O.ABDULLA,
DARUL NAJATH, ALAMPADY, MUTTATHODY VILLAGE,
KASARAGOD DIST.**

R1 BY PUBLIC PROSECUTOR SMT. P.MAYA

R2 BY ADV. SMT.K.S.SANTHI

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 6471 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX A1- TRUE COPY OF F.I.R IN CR. 7/2014 OF VIDYANAGAR POLICE STATION

**ANNEX A2- CERTIFIED COPY OF FINAL REPORT IN CR. NO.7/2014 OF
VIDYANAGAR POLICE STATION**

ANNEX A3- AFFIDAVIT DATED 3.7.2015 SWORN BY THE 2ND RESPONDENT

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
CRL.M.C. No.6471 of 2015
.....

Dated this the 28th day of October, 2015

ORDER

Petitioners are accused in C.C.No.605/2014 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.7/2014 of the Vidyanagar Police Station, Kasaragod registered for the offences punishable under Sections 341, 323 and 324 read with Section 34 of the Indian Penal Code. The matter has been amicably settled between the petitioner and the 2nd respondent, who is the defacto complainant/injured. It seems that the defacto complainant has sustained only trivial injuries.

2. The defacto complainant has filed Annexure-A3 affidavit affirming that the matter has been amicably settled between him and the petitioners and he has no complaints

against the petitioners. No criminal antecedents have been reported against the petitioners.

3. Considering all the above, theis Court is satisfied that no fruitful purpose would be served in proceeding with the matter further and therefore, Annexure-2 Final Report and all further proceedings in C.C.No.605/14 of the Judicial First Class Magistrate's Court-I, Kasaragod in Crime No.7/2014 of the Vidyanagar Police Station, are liable to be quashed.

In the result, this Crl.M.C. is allowed and Annexure-2 Final Report and all further proceedings in C.C.No.605/14 of the Judicial First Class Magistrate's Court-I, Kasaragod in Crime No.7/2014 of the Vidyanagar Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge