

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Crl.MC.No. 6473 of 2015

**SC 52/2011 OF PRINCIPAL SUB COURT, ATTINGAL
CC 87/2010 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, VARKALA
CRIME NO. 135/2008 OF KADAKKAVOOR POLICE STATION, THIRUVANANTHAPURAM**
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PETITIONER(S)/ACCUSED:

1. **SAKKIR, AGED 30 YEARS,
S/O.SALIM, OEP BUILDING,
NEAR PERUNGULAM ARABIC COLLEGE,
KEEZHATTINGAL VILLAGE.**
2. **FAIZAL, AGED 26 YEARS,
S/O.SALIM, OEP BUILDING,
NEAR PERUNGULAM ARABIC COLLEGE,
KEEZHATTINGAL VILLAGE.**
3. **ABDUL VAHAB, AGED 77 YEARS,
S/O.MOHAMMED HANEEFALABA,
CHARUVI HOUSE, MISSION COLONY,
PERUNGULAM, MANNANUR VILLAGE.**
4. **SHIJU, AGED 32 YEARS,
S/O.BASHEER, SHIBU MANZIL,
NEAR PERUNGULAM POST OFFICE,
KEEZHATTINGAL VILLAGE.**

BY ADV. SMT.SREEKALA KRISHNADAS

RESPONDENT(S)COMPLAINANT & STATE:

1. **SABU, AGED 40 YEARS,
S/O.SAINULABDEEN, JANATHA BUILDING,
MANANAKKU, VAKKOM VILLAGE,
CHIRAYAKEEZHU TALUK, THIRUVANANTHAPURAM.**
2. **STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KADAKKAVOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA - 682 031.**

R1 BY ADV. SRI.C.VIVEK

R2 BY PUBLIC PROSECUTOR SMT.MAYA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
05-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1: CERTIFIED COPY OF THE FIR IN CRIME NO.135/2008 OF
KADAKKAVOOR POLICE STATION.**

**ANNEXURE A2: CERTIFIED COPY OF INAL REPORT IN CC.NO.87/2010 OF COURT OF
JUDICIAL FIRST CLASS MAGISTRATE COURT, VARKALA.**

ANNEXURE A3: AFFIDAVIT EXECUTED BY RESPONDENT NO.1.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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Crl.M.C. No. 6473 of 2015

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Dated this the 5th day of October, 2015

O R D E R

The petitioners are the accused in S.C.No.52/11 of the Assistant Sessions Court, Attingal, which has arisen from Crime No.135/2008 of the Kadakkavoor Police Station, for the offences punishable under Sections 114, 115, 120(B), 324, 326 and 307 read with Section 34 IPC.

2. According to the petitioners, the matter has been amicably settled between them and the de facto complainant. Considering the seriousness of the allegations in the prosecution case, this Court cannot accept the settlement arrived at between the parties. The matter cannot be permitted to be compounded. This Crl.M.C is devoid of merits and is only to be dismissed and I do so.

In the result, this Crl.M.C is dismissed.

Sd/-
B.KEMAL PASHA, JUDGE