

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Crl.MC.No. 6485 of 2015

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C.C.NO.233/2013 OF CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM
CRIME NO.1244/2012 OF CENTRAL POLICE STATION, ERNAKULAM
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PETITIONER(S)/ACCUSED :

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- 1. RIYAS RAHMAN, AGED 38 YEARS,
S/O.ABDUL RAHMAN, THACHODI HOUSE, FLAT NO.7D,
MATHER APARTMENT, PANAMPILLY NAGAR, ERNAKULAM.**
 - 2. JOHN MATHEW, AGED 64 YEARS,
S/O.JOHN MATHAI, HOUSE NO.2, OM NIVAS,
EASTERN COURT, THRIKKARA, ERNAKULAM.**

BY ADV. SRI.K.L.JOSEPH

RESPONDENT(S)/STATE/DEFACTO COMPLAINANT :

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- 1. VYASADEV KAMATH, AGED 29 YEARS,
S/O. MOHANDAS KAMATH, TERUVILPARAMBIL HOUSE, T.D ROAD,
ERNAKULAM- 682 001.**
 - 2. STATION HOUSE OFFICER,
CENTRAL POLICE STATION, ERNAKULAM- 682 001.**
 - 3. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA- 682 001.**

**R1 BY ADV. SRI.V.NAMADEVA KAMATH
R2 & R3 BY PUBLIC PROSECUTOR SMT.MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A: CERTIFIED COPY OF THE CHARGE SHEET IN
C.C NO.233/2013 BEFORE CHIEF JUDICIAL MAGISTRATE
COURT, ERNAKULAM.**

ANNEXURE B: AFFIDAVIT SWORN BY THE FIRST RESPONDENT.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 6485 of 2015
.....

Dated this the 3rd day of November, 2015

ORDER

Petitioners are A1 and A2 in C.C.233/2013 of the Chief Judicial Magistrate's Court, Ernakulam, which has arisen from Crime No.1244/2012 of the Central Police Station, Ernakulam, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code, read with Section 34 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the first respondent herein. The defacto complainant has filed Annexure B affidavit affirming that the matter has been amicably settled between him and the petitioners and he has no complaints against the petitioners.

3. When the matter has been amicably settled, no purpose would be served in proceeding with the matter further, and therefore, all further proceedings in C.C.No.233/2013 pending before the Chief Judicial Magistrate's Court, Ernakulam, as against the petitioners, based on Annexure A Final Report in Crime No.1244/2012 of the Central Police Station, are liable to be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.No.233/2013 pending before the Chief Judicial Magistrate's Court, Ernakulam, as against the petitioners, based on Annexure A Final Report in Crime No.1244/2012 of the Central Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge