

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937**

**Crl.MC.No. 6503 of 2015**  
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**C.C.NO.147/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ATTINGAL**  
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**PETITIONER(S)/DEFACTO COMPLAINANT & ACCUSED :**  
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- 1. BINU, AGED 26 YEARS,  
S/O.CHANDRAN, THEKKATHIL VEEDU, KALYANIKKAVILA,  
NEAR CHERUVALLIMUKKU, CHITTATTINKARA DESOM,  
KIZHUVILAM VILLAGE, CHIRAYINKEEZHU TALUK,  
THIRUVANANTHAPURAM DISTRICT.**
- 2. SHINE,  
S/O.RAGHUNATHAN, KALLUVILAKATTIL VEEDU, KALYANIKKAVILA,  
CHERUVALLIMUKKU, KIZHUVILAM VILLAGE,  
THIRUVANANTHAPURAM DISTRICT.**

**BY ADV. SRI.J.JAYAKUMAR**

**RESPONDENT(S)/COMPLAINANT :**  
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**STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.MAYA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' ANNEXURES :**

- ANNEXURE A1:** CERTIFIED COPY OF THE FIR IN CRIME NO.771/2011 OF CHIRAYINKEEZHU POLICE STATION, THIRUVANANTHAPURAM.
- ANNEXURE A2:** CERTIFIED COPY OF FINAL REPORT IN C.C.NO.147/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, ATTINGAL.
- ANNEXURE A3:** AFFIDAVIT DATED 17.09.2015 SWORN BY THE 1ST PETITIONER/DEFACTO COMPLAINANT.

**RESPONDENT(S)' ANNEXURES :**

**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**B. KEMAL PASHA, J.**

.....  
CRL.M.C. No. 6503 of 2015  
.....

Dated this the 27<sup>th</sup> day of October, 2015

**ORDER**

The first petitioner is the defacto complainant in Crime No.771/2011 of the Chirayinkeezhu Police Station, Thiruvananthapuram, for the offences punishable under Sections 294(b), 323 and 324 the IPC. The final report has been filed in the matter and presently it is pending as C.C.No.147/2013 before the Judicial First Class Magistrate's Court-I, Attingal.

2. According to the first petitioner, the matter has been amicably settled between him and the 2<sup>nd</sup> petitioner, who is the accused in the case. It seems that the injuries allegedly occurred to the first petitioner are trivial. The first petitioner has filed an affidavit affirming that the matter has

been amicably settled and he has no complaints against the 2<sup>nd</sup> petitioner. Considering the fact that a joint affidavit has been filed by the defacto complainant as well as the accused affirming that the matter has been amicably settled, this Court is of the view that no purpose would be served in proceeding with the case in C.C.No.147/2013 of the Judicial First Class Magistrate's Court-I, Attingal. Therefore, all further proceedings in C.C.No.147/2013 pending before the Judicial First Class Magistrate's Court-I, Attingal, based on Annexure -2 Final Report, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.No.147/2013 pending before the Judicial First Class Magistrate's Court-I, Attingal, are hereby quashed.

**Sd/- B.KEMAL PASHA, JUDGE**

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[True copy]

P.S. to Judge