

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. 6511 of 2015 ()

CRIME NO. 303/2012 OF EDAKKARA POLICE STATION , MALAPPURAM
LP.21/2015 IN CP.15/2013 OF JFCM, NILAMBUR

PETITIONER(S)/ACCUSED:

1. RINSHAD
NAMBITHODIKA HOUSE, NAROKKAVU, VAZHIKKADAVU
MALAPPURAM DISTRICT.
2. YASSIR
S/O.MUSTAFA, CHEMBAN HOUSE, NAROKKAVU
VAZHIKKADAVU, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S)/STATE, DEFACTO COMPLAINANTS & INJURED:

1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
KOCHI 682 031 - FOR THE SUB INSPECTOR OF POLICE
EDAKKARA POLICE STATION, MALAPPURAM DISTRICT.
2. ABDUL SALAM
S/O.SHAMSUDHEEN, MANGATTUPARAMBAN HOUSE
CHUNGATHARA P.O MALAPPURAM DISTRICT, PIN: 679 334.
3. ANEESH, S/O.CHANDRAN,
THOTTASSERY HOUSE, KARALIKKODE, KARULAI
MALAPPURAM DISTRICT, PIN: 679 334.

R2 & 3 BY ADV. SMT.M.LISHA
R1 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:

Crl.MC.No. 6511 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

A: TRUE COPY OF THE F.I.R IN CRIME NO.303/2012 OF THE EDAKKARA POLICE STATION

B: TRUE COPY OF THE CHARGE IN CRIME NO.303/2012 OF THE EDAKKARA POLICE STATION

C: TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE 2ND RESPONDENT DATED 23/9/2015

D: TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE 3RD RESPONDENT DATED 23/9/2015

RESPONDENT(S)' EXHIBITS : NIL

// True Copy //

PA to Judge

B. KEMAL PASHA, J.

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Crl.M.C. No.6511 of 2015 A
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Dated this the 27th day of October, 2015

ORDER

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Petitioners are the accused in Crime No.303/2012 of Edakkara Police Station in which final report was filed and it was taken on file as CP.15/2013 for the offences punishable under Sections 447, 427, 324 and 308 read with Section 34 IPC. Presently, the matter is pending as LP.21/2015 before the Judicial First Class Magistrate's Court, Nilambur.

2. According to the petitioners, the matter has been amicably settled between them and the de facto complainant and the other injured witness, who are respondents 2 and 3 herein.

3. On going through the matter, it seems that the injuries are only trivial and there is nothing to invite an

offence under Section 308 IPC in the matter. The petitioners and respondents 2 and 3 are students of a College and the incident in the case was the outcome of a quarrel between two groups of students. No criminal antecedents have been reported against the petitioners.

4. Respondents 2 and 3 have filed separate affidavits affirming that the matter has been amicably settled between them and the petitioners and presently, they have no complaints against the petitioners. When the matter has been amicably settled between the parties, no fruitful purpose would be served in proceeding with the matter further. Matters being so, Annexure-A FIR, Annexure-B final report and all further proceedings in LP.21/2015 in CP.15/2013 of Judicial First Class Magistrate's Court, Nilambur arising out of Crime No.303/2012 of Edakkara Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-A FIR, Annexure-B final report and all further proceedings

CrI.M.C.6511/2015

: 3 :

against the petitioners in LP.21/2015 in CP.15/2013 of Judicial First Class Magistrate's Court, Nilambur arising out of Crime No.303/2012 of Edakkara Police Station, are quashed.

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

aks/27/10

*// True Copy //*

*PA to Judge*