

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Crl.MC.No. 6527 of 2015

CRIME NO. 517/2012 OF ALAKODE POLICE STATION, KANNUR

PETITIONER(S)/ACCUSED NO.3:

MAHAROOF, AGED 20 YEARS,
S/O.MUSTHAFA, PUNNAKKAL HOUSE, THADIKKADAVU.P.O.,
VELLAD AMSOM, TALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH S.H.O. ALAKODE POLICE STATION,
KANNUR DISTRICT.
2. KALEERAKATH MUHAMMED KUNHI, AGED 46 YEARS,
S/O.KADER, KALEERAKATH HOUSE, THADIKKADAVU.P.O.,
VELLAD AMSOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.670 141.
3. KALEERAKATH MUSTHAFA, AGED 39 YEARS,
S/O.KADER, KALEERAKATH HOUSE, THADIKKADAVU.P.O.,
VELLAD AMSOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.670 141.

R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2,3 BY ADV. SRI.V.T.MADHAVANUNNI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-10-2015, ALONG WITH CRL.MC.NO.6528/2015, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:

PJ

Crl.MC.No. 6527 of 2015

APPENDIX

PETITIONER(S)' ANNEXURE

**ANNEXURE A1- TRUE COPY OF THE FIR IN CRIME NO.517/2012 OF ALAKODE POLICE
STATION.**

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. Nos. 6527 & 6528 of 2015

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Dated this the 30th day of October, 2015

ORDER

The petitioner in Crl.M.C.No.6527/2015 is A3 and petitioners in Crl.M.C.No.6528/2015 are A1 and A2 in C.C No.414/2013 of the Judicial First Class Magistrate's Court, Taliparamba, which has arisen from Crime No.517/2012 of the Alakode Police Station, Kannur. The crime was registered for the offences punishable under Sections 341, 323, 452, 326, 392 and 427 read with Section 34 IPC.

2. After investigation, the final report has been filed for the offences under Sections 341, 323, 452, 326 and 427 read with Section 34 IPC. It seems that grievous hurt has been caused to the de facto complainant, who is the 2nd respondent herein and he lost his two teeth in the alleged attack staged against him by the petitioners, after committing house trespass into the shop of the 2nd

respondent. According to the petitioners, the matter has been amicably settled between them and the 2nd respondent herein. The 2nd respondent has filed affidavits in both these matters by affirming that the matter has been amicably settled between him and the petitioners and he has no complaints or grievance against the petitioners in the matter. When such serious allegations are there in the prosecution case, this Court cannot accept and endorse the settlement arrived at between the parties.

3. At the same time, the court below shall take note of the fact that the matter stands settled. The court below shall take the case out of turn to have an expeditious disposal.

With the said direction, these Crl.M.Cs are dismissed.

Sd/-
B.KEMAL PASHA, JUDGE

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