

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. 6548 of 2015

**SC 193/2014 OF ASSISTANT SESSIONS COURT, KASARAGOD.
CRIME NO. 69/2013 OF KASARAGOD POLICE STATION, KASARGOD DISTRICT.**
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PETITIONER(S)/ACCUSED 1 AND 2:

- 1. NAVEEN.M, AGED 29 YEARS,
S/O. LATE MANJAPPA SHETTY, RESIDING AT
BELLUR HOUSE, KALLANKAI,
MOGRAL PUTHUR VILLAGE, KASARAGOD TALUK,
KASARAGOD DISTRICT.**
- 2. SASIDHARAN, S/O. MANJAPPA SHEETY,
AGED 32 YEARS, RESIDING AT BELLUR HOUSE,
KALLANKAI, MOGRAL PUTHUR VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT.**

BY ADV. SMT.G.SANGEETHA

RESPONDENT(S)/STATE:

- 1. THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
KASARAGOD POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. ANWAR A @ AMRU, AGED 22 YEARS,
S/O. ABDUL RAHIMAN, RESIDING AT
MEETHALE VALAPPIL HOUSE, KALLANKAI,
MOGRAL PUTHUR VILLAGE, KASARAGOD TALUK,
KASARAGOD DISTRICT - 671 124.**
- 3. MUHAMMED KUNHI M, AGED 26 YEARS,
S/O. MOOSAKUNHI, RESIDING AT KUNNIL HOUSE,
CHAUKI ARJAL ROAD, KUDLU VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT - 671 123.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 & R3 BY ADV. SRI.T.MADHU**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1 :** THE TRUE CERTIFIED COPY OF THE FIR IN CRIME NO 69/2013 OF KASARAGOD POLICE STATION.
- ANNEXURE A2 :** THE TRUE CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO 69/2013 OF KASARAGOD POLICE STATION.
- ANNEXURE A3 :** THE AFFIDAVIT DATED 1-10-2015 SWORN IN BY THE 2ND RESPONDENT.
- ANNEXURE A4 :** THE AFFIDAVIT DATED 1-10-2015 SWORN IN BY THE 3RD RESPONDENT.
- ANNEXURE A5 :** THE TRUE CERTIFIED COPY OF THE MEMO OF EVIDENCE IN CRIME NO 68/2013 OF KASARAGOD POLICE STATION.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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B. KEMAL PASHA, J.

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Crl.M.C. No.6548 of 2015 D
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Dated this the 30th day of October, 2015

ORDER

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Petitioners are the accused in SC No.193/2014 of the Assistant Sessions Court, Kasaragod, which has arisen from Crime No.69/2013 of Kasaragod Police Station, for the offences punishable under Sections 341, 324 and 308 read with Section 34 IPC. This is a counter case to Crime No.68/2013, which is presently pending as SC No.534/2014 before the Additional Sessions Court (Adhoc-III), Kasaragod. It seems that both the matters are amicably settled between the parties.

2. The de facto complainant and the other injured in the case, who are respondents 2 and 3, have filed separate affidavits as Annexures-A3 and A4 affirming that the matter has been amicably settled between them and the petitioners and presently, they have no complaints against the

petitioners. The counter case also seems to be settled. In such case, no purpose would be served in proceeding with the matter further. Matters being so, this Court is of the view that Annexure-A2 final report and all further proceedings against the petitioners in SC No.193/2014 of the Assistant Sessions Court, Kasaragod, which has arisen from Crime No.69/2013 of Kasaragod Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-A2 final report and all further proceedings against the petitioners in SC No.193/2014 of the Assistant Sessions Court, Kasaragod, which has arisen from Crime No.69/2013 of Kasaragod Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/30/10

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PA to Judge