

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

CrI.MC.No. 6556 of 2015 ()

**SC. NO.534/2014 OF ADDL. SESSIONS COURT (ADHOC-III), KASARAGOD.
CRIME NO. 68/2013 OF KASARAGOD POLICE STATION.**

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PETITIONERS/ACCUSED 1 TO 3:

- 1. JILANI. K. @ MOHAYUDEEN ABDUL KHADER JILANI,
AGED 30 YEARS, S/O.ABOOBACKER, RESIDING AT KALLANKAI,
NEAR MOGRAL PUTHUR GRAMA PANCHAYATH,
MOGRAL PUTHUR VILLAGE, KASARAGOD TALUK,
KASARAGOD DISTRICT.**
- 2. ANWAR. A. @ AMRU, AGED 22 YEARS,
S/O.ABDUL RAHIMAN, RESIDING AT KALLANKAI,
MEETHALE BELLUR HOUSE, MOGRAL PUTHUR VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT.**
- 3. MUHAMMED KUNHI. M., AGED 26 YEARS,
S/O.MOOSAKUNHI, RESIDING AT KUNNIL HOUSE,
CHAUKI ARJAL ROAD, MOGRAL PUTHUR VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.T.MADHU.

RESPONDENTS/STATE & DEFACTO COMPLAINANT:

- 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. NAVEEN M., AGED 29 YEARS,
S/O.LATE MANJAPPA SHETTY,
RESIDING AT BELLUR HOUSE,
KALLANKAI, MOGRAL PUTHUR VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT-671 124.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.
R2 BY ADV. SRI.G.SANGEETHA.**

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

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1- THE TRUE CERTIFIED COPY OF THE FIR IN CRIME NO.68/2013
 OF KASARAGOD POLICE STATION.**
- ANNEXURE A2- THE TRUE CERTIFIED COPY OF THE FINAL REPORT IN
 CRIME NO.68/2013 OF KASARAGOD POLICE STATION.**
- ANNEXURE A3- THE AFFIDAVIT DATED 01.10.2015 SWORN IN BY THE
 2ND RESPONDENT.**
- ANNEXURE A4- THE TRUE CERTIFIED COPY OF THE MEMO OF EVIDENCE IN
 CRIME NO.68/2013 OF KASARAGOD POLICE STATION.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

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Crl.M.C. No.6556 of 2015 E
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Dated this the 30th day of October, 2015

ORDER

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Petitioners are the accused in SC No.534/2014 of the Additional Sessions Court (Adhoc-III), Kasaragod, which has arisen from Crime No.68/2013 of Kasaragod Police Station, for the offences punishable under Sections 143, 147, 148, 452 and 308 read with Section 149 IPC. There is a counter case also registered by the very same Police Station as Crime No.69/2013, which is presently pending as SC No.193/2014 before the Assistant Sessions Court, Kasaragod. It seems that both the matters are amicably settled between the parties.

2. In the present case, it seems that injuries sustained to the de facto complainant, who is the 2nd respondent, are very trivial and there is absolutely nothing to invite an offence under Section 308 IPC in the matter.

3. The de facto complainant, who is the 2nd respondent herein, has filed Annexure-A3 affidavit affirming that the matter

has been amicably settled between him and the petitioners and presently, he has 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.534/2014 of the Additional Sessions Court (Adhoc-III), Kasaragod, which has arisen from Crime No.68/2013 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.534/2014 of the Additional Sessions Court (Adhoc-III), Kasaragod, which has arisen from Crime No.68/2013 of Kasaragod Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/30/10

// True Copy //

PA to Judge