

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Crl.MC.No. 6563 of 2015

**C.C.NO.278/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I,
ERNAKULAM**

PETITIONER(S)/ACCUSED NOS. 1, 2 AND 3 :

- 1. SUDHEESH, AGED 29 YEARS,
S/O.SUKUMARAN, PUKAYIL HOUSE, YESORAM COLONY,
MAMANGALAM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.**
- 2. GABRIEL, AGED 33 YEARS,
S/O.ANTONY, ANTHIKKATTU HOUSE, CHETHANA JUNCTION,
MAMANGALAM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANOOR TALUK.**
- 3. JOLLY, AGED 36 YEARS,
S/O.JOSEPH, POLAYIL HOUSE, CHETHANA JUNCTION,
MAMANGALAM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANOOR TALUK.**

**BY ADVS.SRI.P.B.ASOKAN
SRI.GEORGE C.VARGHESE
SRI.S.SREEKUMAR (ADUKKATH)
SRI.P.B.AJOY**

RESPONDENT(S)/COMPLAINANTS :

- 1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION, THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. PRAVEEN, AGED 32 YEARS,
S/O.CHANDRAN, KAIPPOTTIL HOUSE, CHAVAKKAD TALUK,
THRISSUR DISTRICT. NOW RESIDING AT C.C. 35/343,
MAMANGALAM, ERNAKULAM - 682 024.**
- 3. SHIBI, AGED 35 YEARS, S/O.PURUSHOTHAMAN,
CC NO.901/A/4, ELAMAKKARA, ERNAKULAM - 682 023.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 & R3 BY ADV. SRI.MANU TOM**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE-A1: CERTIFIED COPY OF THE CHARGE SHEET IN
C.C.NO.278/2012 OF THE COURT OF THE JUDICIAL FIRST
CLASS, ERNAKULAM.**
- ANNEXURE-A2: ORIGINAL AFFIDAVIT FILED BY THE CHARGE WITNESS
NO.1.**
- ANNEXURE-A3: ORIGINAL AFFIDAVIT FILED BY THE CHARGE WITNESS
NO.2.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 6563 of 2015
.....

Dated this the 3rd day of November, 2015

ORDER

Petitioners are A1 to A3 in C.C.278/2012 of the Judicial First Class Magistrate's Court-I, Ernakulam, which has arisen from Crime No.1502/2011 of the Palarivattom Police Station, Ernakulam, registered for the offences punishable under Sections 323, 324, 427, 451 and 294(b) of the Indian Penal Code, read with Section 34 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant and the other affected person, who are respondents 2 and 3. Respondents 2 and 3 have filed separate affidavits as Annexure-A2 and Annexure-A3, affirming that the matter has been amicably settled between them and the petitioners and

they have no complaints against the petitioners.

3. When the matter has been amicably settled, no purpose would be served in proceeding with the matter further, and therefore, all further proceedings in C.C.No.278/2012 pending before Judicial First Class Magistrate's Court-I, Ernakulam, as against the petitioners, based on Annexure A1 Final Report in Crime No.1502/2011 of the Palarivattom Police Station, are liable to be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings all further proceedings in C.C.No.278/2012 pending before Judicial First Class Magistrate's Court-I, Ernakulam, as against the petitioners, based on Annexure A1 Final Report in Crime No.1502/2011 of the Palarivattom Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge