

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

CrI.MC.No. 6588 of 2015

**C.C.NO.829/2014 IN C.C.NO.500/2006 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, PERINTHALMANNA
CRIME NO. 537/2003 OF PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONER(S)/ACCUSED NO.2 AND 4 :

- 1. SHIHABUDEEN, S/O.MUHAMMED,
PULLODAN HOUSE, KADANNAMANNA AMSOM,
KARKKIDAKAM DESOM, MALAPPURAM DISTRICT.**
- 2. ABDUL MAJEED, S/O.ABOOBACKER,
KATTAPPULAN HOUSE, KADANNAMANNA AMSOM,
KARKKIDAKAM DESOM, MALAPPURAM DISTRICT.**

BY ADV. SRI.P.SAMSUDIN

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031,
(SUB INSPECTOR OF POLICE PERINTALMANNA,
MALAPPURAM DISTRICT).**
- 2. VELAYUDHAN, AGED 48 YEARS,
S/O.KUTTIKRISHNAN, PANDARATHIL HOUSE,
THRIKKALANGODE AMSOM, KARIKKAD DESOM, ERNAD TALUK,
MALAPPURAM DISTRICT, PIN - 676 127.**
- 3. VELUKUTTY, AGED 58 YEARS,
S/O.CHATHUKUTTY, PALLIKKATHODI HOUSE,
THRIKKALANGODE AMSOM, KARIKKAD DESOM, ERNAD TALUK,
MALAPPURAM DISTRICT, PIN - 676 127.**
- 4. GOPALAKRISHNAN, AGED 62 YEARS,
S/O.NANU, PERUR HOUSE, THRIKKALANGODE AMSOM,
KARIKKAD DESOM, ERNAD TALUK,
MALAPPURAM DISTRICT, PIN - 676 127.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2-R4 BY ADV. SRI.K.C.ANTONY MATHEW**

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

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNX.A1: CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 537/2003
OF PERINTALMANNA POLICE STATION.**

**ANNX.A2: CERTIFIED COPY OF THE ORDER DATED 17.08.2006 IN CC 58/2004
ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
PERINTHALMANNA.**

**ANNX.A3: THE AFFIDAVIT SWORN IN BY RESPONDENTS 2 TO 4
DATED 11.09.2015.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 6588 of 2015
.....

Dated this the 3rd day of November, 2015

ORDER

Petitioners are A2 and A4 in C.C.829/2014 of the Judicial First Class Magistrate's Court-I, Perinthalmanna, which has arisen from Crime No.537/2003 of the Perinthalmanna Police Station, Malappuram District, registered for the offences punishable under Sections 143, 147, 342, 294(b) and 506(1) of the Indian Penal Code, read with Section 149 IPC. There are seven accused in this case. A1, A3, A5, A6 and A7 were acquitted under Section 255(1) Cr.P.C. The case against the petitioners was split up and refiled as C.C.No.500/06, which is presently pending as C.C.No.829/14 before the aforesaid court.

2. The matter has been amicably settled between

the petitioners and the defacto complainant and the other affected persons, who are respondents 2 to 4 herein. Respondents 2 to 4 have filed Annexure A3 affidavit 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.829/2014 of the Judicial First Class Magistrate's Court-I, Perinthalmanna, as against the petitioners, based on Annexure A1 Final Report in Crime No.537/2003 of Perinthalmanna Police Station, Malappuram, are liable to be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.829/2014 of the Judicial First Class Magistrate's Court-I, Perinthalmanna, as against the petitioners, based on Annexure A1 Final Report in Crime

CRL.M.C.No. 6588 of 2015

-: 3 :-

No.537/2003 of Perinthalmanna Police Station,
Malappuram, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge