

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Crl.MC.No. 6624 of 2015

**SC 652/2014 OF ASSISTANT SESSIONS COURT, KARUNAGAPPALLY.
CRIME NO. 120/2007 OF CHAVARA POLICE STATION, KOLLAM DISTRICT.**
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PETITIONER(S)/ACCUSED NOS. 2 TO 4:

- 1. SUDHEER, AGED 31 YEARS,
S/O.ABDUL LATHEEF, KUMBALATH HOUSE,
KOLAM MURI, PANAMANA VILLAGE, KOLLAM DISTRICT.**
- 2. NISHAD, AGED 31 YEARS, S/O.ALIYARU KUNJU,
THEKKETHIL VEEDU, ALUMMOOTTIL,
PORUKKARA MURI, PANAMANA VILLAGE, KOLLAM DISTRICT.**
- 3. NASEER KHAN, AGED 29 YEARS, S/O.KASIM KUNJU,
VELLIKKARA THEKKETHIL VEEDU, PALODAM MURI,
PANAMAN VILLAGE, KOLLAM DISTRICT.**

BY ADV. SRI.H.NUJUMUDEEN

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
THROUGH CIRCLE INSPECTOR OF POLICE,
CHAVARA POLICE STATION, KOLLAM DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031.**
- 2. JYOTHIS, AGED 25 YEARS, S/O.ARAVINDHAKSHAN,
SANKUTHARAYIL HOUSE, CHITTOOR, PANMANA VILLAGE,
KOLLAM DISTRICT, PIN - 693 583.**

R1 BY ADV. SRI.SALIM V.S.

R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONERS' ANNEXURES:

- ANNEXURE A1 :** CERTIFIED COPY OF THE FIR IN CRIME NO.120/2007 OF CHAVARA POLICE STATION.
- ANNEXURE A2 :** CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.120/2007 OF CHAVARA POLICE STATION.
- ANNEXURE A3 :** AFFIDAVIT DULY SIGNED BY THE DEFACTO COMPLAINANT ATTESTED BY A NOTARY PUBLIC.

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. 6624 of 2015

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Dated this the 9th day of October, 2015

ORDER

The petitioners are A2 to A4 in S.C.No.652/2014 of the Assistant Sessions Court, Karunagappally, which has arisen from Crime No.120/2007 of the Chavara Police Station, Kollam District, for the offences punishable under Sections 341, 323 and 307 read with Section 34 IPC.

2. According to the petitioners, the matter has been amicably settled by them with the de facto complainant injured, who is the 2nd respondent herein. The 2nd respondent has also filed an affidavit stating that the matter has been amicably settled between them.

3. On going through the Final Report, it seems that the allegations levelled against the accused are very grave and serious. This Court cannot accept and endorse the so-called settlement arrived at between the parties. At the same time, the court below shall take note of that

aspect. When the matter has been settled between the parties, the court below can take the matter out of turn to have an expeditious disposal.

With the said direction, this Crl.M.C is dismissed accordingly.

Sd/-
B.KEMAL PASHA, JUDGE

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