

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Crl.MC.No. 6691 of 2015 ()

CC 716/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT -II,HOSDRUG

PETITIONERS/ACCUSED 1 TO 5 :

- 1. E.L. HANIFFA, AGED 31 YEARS,
R/A. E. L. HOUSE, KOOLIYANKAL, HOSDURG VILLAGE,
HOSUDURG TALUK, KASARAGOD DISTRICT**
- 2. E.L. NASSER, AGED 33 YEARS,
S/O. SYED, R/A. KOOLIYANKAL, HOSDURG VILLAGE,
HOSUDURG TALUK, KASARAGOD DISTRICT**
- 3. FAISAL C., AGED 32 YEARS,
S/O.IBRAHIM, R/A.CHERAKKADATH HOUSE, KOOLIYANKAL,
HOSDURG VILLAGE, HOSUDURG TALUK, KASARAGOD DISTRICT**
- 4. MUHAMMED RIYAD A K AGED 30 YEARS
S/O.A.K.ABDUL RAHIMAN, R/A.NISHANA MANZIL, KOOLIYANKAL
HOSDURG VILLAGE, HOSUDURG TALUK, KASARAGOD DISTRICT**
- 5. NASSER P. K., AGED 28 YEARS,
S/O.MOITHU, R/A.RIVANA MANZIL, KOOLIYANKAL
HOSDURG VILLAGE, HOSUDURG TALUK, KASARAGOD DISTRICT**

BY ADV. SRI.T.MADHU

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER
HOSDURG POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682031**
- 2. MUHAMMED JABIR T, AGED 21 YEARS,
S/O.ABDUL MAJEED, R/A.M.K.HOUSE, KOOLIYANKAL
P. O. KANHANGAD SOUTH, HOSDURG TALUK, KASARAGD DISTRICT**

**R1 BY PUBLIC PROSECUTOR SMT. MAYA
R2 BY ADV. SMT.G.SANGEETHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1:- THE TRUE CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO 492/2014 OF HOSDURG POLICE STATION.

ANNEXURE A2:- THE AFFIDAVIT DTD 3/10/2015 SWORN IN BY THE 2ND RESPONDENT.

ANNEXURE A3:- THE TRUE CERTIFIED COPY OF THE MEMO OF EVIDENCE IN CRIME NO 492/2014 OF HOSDURG POLICE STATION.

ANNEXURE A4:- THE TRUE CERTIFIED COPY OF THE WOUND CERTIFICATE IN CRIME NO 492/2014 OF HOSDURG POLICE STATION

RESPONDENT(S)' EXHIBITS : NIL.

//TREU COPY//

P.A.TO JUDGE

bp

B. KEMAL PASHA, J.

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Crl.M.C. No.6691 of 2015
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Dated this the 28th day of October, 2015

ORDER

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Petitioners are accused Nos.1 to 5 in CC No.716/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.492/2014 of Hosdurg Police Station for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 read with Section 149 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the de facto complainant injured, who is the 2nd respondent herein.

3. The 2nd respondent has filed Annexure-A2 affidavit affirming that the matter has been amicably settled between him and the petitioners and presently, he has no complaints against the petitioners. No criminal antecedents have been reported against the petitioners. The injuries

sustained to the de facto complainant are very trivial and the same are two small abrasions. No purpose would be served in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in CC No.716/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.492/2014 of Hosdurg Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioners in CC No.716/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.492/2014 of Hosdurg Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/28/10

// True Copy //

PA to Judge