

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. 6694 of 2015 ()

**CC.NO. 282/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -II(FOREST
OFFENCES),PUNALUR
CRIME NO. 390/2010 OF KULATHUPUZHA POLICE STATION , KOLLAM DISTRICT**

PETITIONER(S)/ACCUSED NO.1 TO 4 :

- 1. MOLLY RAJAN, AGED 50 YEARS,W/O.RAJAN,
NOW RESIDING AT HOUSE NO.101, B-WING,
ESKESH VARA TOWNSHIP, MUMBAI, FROM KIDARAKUZHI HOUSE,
ANGADI VILLAGE, RANNI, PATHANAMTHITTA DISTRICT.**
- 2. RIJU BAIJU, AGED 32 YEARS, S/O.BAIJU GEORGE,
RESIDING AT KIDARAKUZHI HOUSE,
ANGADI VILLAGE, RANNI, PATHANAMTHITTA DISTRICT.**
- 3. RUSAN P. RAJAN, AGED 35 YEARS,
NOW RESIDING AT HOUSE NO. 101, B- WING,
ESKESH VORA TOWNSHIP, MUMBAI FROM KIDARAKUZHI HOUSE,
ANGADI VILLAGE, RANNI, PATHANAMTHITTA DISTRICT.**
- 4. JINO, AGED 30 YEARS,
S/O.MATHUKUTTY, RESIDING AT NIRAPPUVILAYIL HOUSE,
THIRUVAZHI, ELAMPAL, VILAKUDY VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT.**

BY ADV. SRI.MANU RAMACHANDRAN

RESPONDENT(S)/COMPLAINANT & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KULATHUPUZHA POLICE STATION, KOLLAM DISTRICT,
WHO IS REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**
- 2. JOHN SEBASTIAN, AGED 29 YEARS,
S/O.SEBASTIAN, RESIDING AT ELAVANAPPARA HOUSE,
ESM COLONY, KULATHUPUZHA P.O.,
KULATHUPUZHA MURI AND VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT. PIN-691 308.**

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3. NIVAS, AGED 30 YEARS,
S/O.ABOOBEGAR, RESIDING AT NISHAD MAZIL HOUSE,
KAITHAKKAD, KULATHUPUZHA P.O.,
KULATHUPUZHA MURI AND VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT.PIN- 691 308.
4. BIJOY PRASAD, AGED 29 YEARS,S/O.PRASAD,
RESIDING AT VARUR HOUSE, CHEMBANAZHIKAM,
KULATHUPUZHA P.O, KULATHUPUZHA MURI AND VILLAGE,
PUNALUR TALUK, KOLLAM DISTRICT.PIN- 691 308.
5. RIYAS, AGED 29 YEARS,
S/O.SHERIEF, RESIDING AT RIYAS MANZIL HOUSE, VALIYELA,
KULATHUPUZHA P.O, KULATHUPUZHA MURI AND VILLAGE,
PUNALUR TALUK, KOLLAM DISTRICT. PIN-691 308.
6. ARUNLAL, AGED 28 YEARS,
S/O.RAVEENDRAN PILLAI, RESIDING AT NANDANAM HOUSE,
AMBALAKKAVU ATTINKIZHAKKEKARA, KULATHUPUZHA P.O.,
KULATHUPUZHA MURI AND VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT. PIN-691 308.
7. THOMAS SEBASTIAN, AGED 27 YEARS,
S/O.SEBASTIAN, RESIDING AT ELAVANAPPARA HOUSE,
ESM COLONY, KULATHUPUZHA P.O.,
KULATHUPUZHA MURI AND VILLAGE, PUNALUR TALUK,
KOLLAM DISTRICT. PIN-691 308.
8. SAMUEL, AGED 29 YEARS, S/O.PONNACHEN,
RESIDING AT KAPPIVILA PUTHEN VEEDU HOUSE,
THINKALKARIKKAM P.O.,
THINKALKARIKKAM MURI AND VILLAGE,
PUNALUR TALUK, KOLLAM DISTRICT.PIN- 691 308.

R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE
R2,R4, & R6 BY ADV. SMT.K.V.SAMUDRA

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

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX A1.** CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 390/2010 OF KULATHUPUZHA POLICE STATION, NOW PENDING AS CC.NO.282/12 ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-11, PUNALUR.
- ANNEX A2.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT DATED 11.9.15.
- ANNEX A3.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT DATED 11.9.15.
- ANNEX A4.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 4TH RESPONDENT DATED 11.9.15.
- ANNEX A5.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 5TH RESPONDENT DATED 11.9.15.
- ANNEX A6.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 6TH RESPONDENT DATED 11.9.15.
- ANNEX A7.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 7TH RESPONDENT DATED 11.9.15.
- ANNEX A8.** THE ORIGINAL OF THE AFFIDAVIT SWORN BY THE 8TH RESPONDENT DATED 11.9.15.

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

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B. KEMAL PASHA, J.

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Crl.M.C. No.6694 of 2015
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Dated this the 28th day of October, 2015

ORDER

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Petitioners are the accused in CC No.282/2012 of the Judicial First Class Magistrate's Court-II, Punalur, which has arisen from Crime No.390/2010 of Kulathupuzha Police Station for the offences punishable under Sections 120B and 420 read with Section 34 IPC.

2. The matter relates to money transaction. Presently, the entire amounts due to respondents 2 to 8 are paid by the petitioners and the entire liability has been discharged. Respondents 2 to 8 have filed separate affidavits affirming that the entire matter has been settled amicably between them and the petitioners and they have no complaints against the petitioners. When the transaction has been settled and the amounts have been paid, further proceedings in CC No.282/2012 of the Judicial First Class

Magistrate's Court-II, Punalur, which has arisen from Crime No.390/2010 of Kulathupuzha Police Station, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings against the petitioners in CC No.282/2012 of the Judicial First Class Magistrate's Court-II, Punalur, which has arisen from Crime No.390/2010 of Kulathupuzha Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/28/10

// True Copy //

PA to Judge