

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Crl.MC.No. 6751 of 2015 ()

**CC.NO. 2012/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD
CRIME NO. 464/2011 OF BADIADKA POLICE STATION , KASARGOD DISTRICT**

PETITIONER(S)/ACCUSED NOS.1 & 2:

- 1. SHERIEF, S/O.AYSHA (M),
AGED 39 YEARS, BEERIKKANAM (H), BADOOR,
KASARAGOD (DIST).**
- 2. MOIDEEN KUNHI, S/O.AYSHA (M),
AGED 29 YEARS, BEERIKKANAM (H), BADOOR,
KASARAGOD (DIST)**

**BY ADVS.SRI.ANIL K.MOHAMMED
SRI.V.S.MANSOOR**

RESPONDENT(S)/COMPLAINANT/DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. ABOOBAKER SIDHIQ, S/O.ABDURAHIMAN,
BEERIKKANAM (H), BADOOR GRAMAM,
KASARAGOD (DIST)- 671 321**
- 3. ABDURAHIMAN, S/O.AHAMED KUTTY,
BEERIKKANAM (H), BADOOR GRAMAM,
KASARAGOD (DIST) -671 321.**

**R1 BY PUBLIC PROSECUTOR SMT. P.MAYA
R2 & R3 BY ADV. SRI.S.MOHAMMED AL RAFI**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 6751 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX.A - CERTIFIED COPY OF CHARGE SHEET IN CC NO.2012/2012 OF
JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD.**

ANNEX.B - AFFIDAVIT DTD. 10.10.2015 SWORN BY 2ND RESPONDENT

ANNEX.C - AFFIDAVIT DTD. 10.10.2015 SWORN BY 3RD RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B.KEMAL PASHA, J.

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Crl.M.C. No. 6751 of 2015

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Dated this the 30th day of October, 2015

ORDER

The petitioners are the accused in C.C.No.2012 of 2012 of the Judicial First Class Magistrate's Court, Kasaragod, which has arisen from Crime No.464 of 2011 of the Badiadka Police Station, for the offences under Sections 341, 323, 324, 427 and 506(i) IPC read with Section 34 IPC.

2. The matter has been amicably settled between the parties. Respondents 2 and 3 herein, who are the defacto complainant and the other injured, have filed separate affidavits as Annexure-B and Annexure-C, affirming that the matter has been amicably settled by them with the petitioners and they

have no complaints or grievance against the petitioners. No criminal antecedents have been reported against the petitioners. When the matter has been amicably settled between the parties in a case like this, no purpose would be served in proceeding with the matter any further. Matters being so, all further proceedings as against the petitioners in C.C.No.2012 of 2012 of the Judicial First Class Magistrate's Court, Kasaragod, based on Annexure-A Final Report in Crime No.464 of 2011 of the Badiadka Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings as against the petitioners in C.C.No.2012 of 2012 of the Judicial First Class Magistrate's Court, Kasaragod, based on Annexure-A Final Report in Crime No.464 of 2011 of the Badiadka Police Station are hereby quashed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/30/10/15

// True Copy //

P.A. To Judge