

**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. 6763 of 2015**  
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**CRIME NO. 1204/2015 OF PERINTHALMANNA POLICE STATION , MALAPPURAM**  
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**PETITIONER(S)/ACCUSED 1 TO 3 :**  
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- 1. SHAHUDEEN, AGED 33 YEARS,  
S/O.MOIDEENKUTTY, MANIYANKUNNAN HOUSE,  
CHUNDAMPETTA P.O., PALAKKAD DISTRICT.**
- 2. SABEER ALI, AGED 38 YEARS,  
S/O.ABDU, KAVAPURA PUTHENPEEDIYEKKAL, ANNAMANGAD,  
PERINTHALMANNA, MALAPPURAM.**
- 3. ABDUL BASHEER, AGED 29 YEARS,  
S/O.SRAJUTTY, VALIYATHODY HOUSE, KUNNAKAVU P.O.,  
(VIA) MALAPPURAM.**

**BY ADV. SRI.P.M.HABEEB**

**RESPONDENT(S)/DEFACTO COMPLAINANT :**  
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- 1. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM,  
(CRIME NO.1204/2015 OF PERINTHALMANNA POLICE STATION).**
- 2. MUJEEB RAHMAN P.K, AGED 35 YEARS,  
S/O.MUHAMMED, PEERALIKUNAMKATTIL HOUSE,  
PULAMANTHOLE AMSOM, PALOOR, ALAMPARA  
PERINTHALMANNA, MALAPPURAM.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA  
R2 BY ADV. SRI.SAJU RAGHAVAN**

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

Msd.

**Crl.MC.No. 6763 of 2015**

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**APPENDIX**

**PETITIONER(S)' ANNEXURES :**

**ANNEXURE A: TRUE COPY OF THE F.I.R DATED 24.09.2015.**

**RESPONDENT(S)' ANNEXURES :**

**NIL**

**//TRUE COPY//**

**PA.TO JUDGE.**

Msd.

**B. KEMAL PASHA, J.**

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Crl.M.C. No.6763 of 2015 E  
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*Dated this the 28<sup>th</sup> day of October, 2015*

**ORDER**

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According to the petitioners, they are arraigned as the accused in Crime No.1204/2015 of Perinthalmanna Police Station for the offences punishable under Sections 342, 323, 324, 506(ii), 308 and 363 read with Section 34 IPC.

2. Further, according to the petitioners, the matter has been amicably settled between them and the de facto complainant, who is the 2<sup>nd</sup> respondent herein. An affidavit to that effect has also been filed by the de facto complainant.

3. The learned Public Prosecutor has pointed out that the matter is under investigation and so far, the petitioners have not been arraigned as accused in the crime. At this stage, the present Crl.M.C. is not maintainable

and is only to be dismissed.

In the result, this CrI.M.C. is dismissed with liberty to the petitioners to move this Court again, at appropriate stage, in case it is required.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/28/10

*// True Copy //*

*PA to Judge*