

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Crl.MC.No. 6823 of 2015

CRIME NO. 1183/2015 OF PERINTHALMANNA POLICE STATION, MALAPPURAM.
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PETITIONER(S)/ACCUSED 1-3:

1. MUHAMMED SHAMEER, AGED 19 YEARS,
S/O.MOHAMMED ALI, VELLAPALLY HOUSE,
ARAKKUPARAMBA AMSOM DESOM,
PERINTHALMANNA TALUK, MALAPPURAM DISTRICT.
2. SALMANUL FARIS, AGED 18 YEARS,
S/O.SHARAFUDHEEN, ALALUKKAL HOUSE,
KOTTOPPADAM AMSOM DESOM,
MANNAGHAT TALUK, PALAKKAD DISTRICT.
3. MUHAMMED HASHIK, AGED 19 YEARS,
S/O.UMMER, PANCHILI HOUSE, KOTTOPPADAM AMSOM
DESOM, MANNARKKAD TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.SURAJ.S

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.
2. MUHAMMED SHAMEER, S/O.ALAVI, MOOTHODAN HOUSE,
THACHANATTUKARA DESOM, MANNARKKAD TALUK,
PALAKKAD DISTRICT-678001.
3. MUHAMMED MUSTHAF, AGED 22 YEARS,
S/O.MOIDUPPA, KARIMBANAKKAL HOUSE,
THACHANATTUKARA VILLAGE DESOM, PALAKKAD-678001.

R1 BY PUBLIC PROSECUTOR SMT.P.MAYA
R2 & R3 BY ADV. SRI.NIRMAL V NAIR

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A:** COPY OF THE FIR IN CR.1183/2015 OF THE PERINTHALMANNA POLICE STATION DATED 18.9.2015.
- ANNEXURE B:** A COPY OF WOUND CERTIFICATE OF 2ND RESPONDENT DATED 19.9.2015.
- ANNEXURE C:** A COPY OF WOUND CERTIFICATE OF 3RD RESPONDENT DATED 19.9.2015.
- ANNEXURE D:** A COPY OF AFFIDAVIT FILED BY THE 2ND RESPONDENT DATED 8.10.2015.
- ANNEXURE E:** A COPY OF AFFIDAVIT FILED BY THE 3RD RESPONDENT DATED 8.10.2015.

RESPONDENT(S)' ANNEXURES: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

B.KEMAL PASHA, J.

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Crl.M.C. No. 6823 of 2015

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Dated this the 29th day of October, 2015

ORDER

The petitioners are accused in Crime No.1183 of 2015 of the Perinthalmanna Police Station, registered for the offences punishable under Sections 341,324, 294(b), 506(2) and 308 IPC read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the parties. The copies of the wound certificates of the defacto complainant and the other injured are produced as Annexure-B and Annexure-C, which reveal that there were only two minor contusions on respondents 2 and 3.

3. On going through the matter, this Court is satisfied that there are no ingredients to invite an offence under Section 308 IPC in the matter. Respondents 2 and 3 have filed separate affidavits as Annexure-D and Annexure-E, affirming that the matter has been amicably settled between them and the

petitioners and respondents 2 and 3 have no complaints against the petitioners. When the matter has been amicably settled between the parties, no purpose would be served in proceeding with the matter any further. Matters being so, all further proceedings in Annexure-A First Information Report in Crime No.1183 of 2015 of the Perinthalmanna Police Station can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in Annexure-A First Information Report in Crime No.1183 of 2015 of the Perinthalmanna Police Station are hereby quashed.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/30/10/15

// True Copy //

P.A. To Judge