

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Crl.MC.No. 5660 of 2014

**SC 425/2013 OF DISTRICT COURT,KOZHIKODE
CRIME NO. 9/2013 OF KODENCHERRY POLICE STATION, KOZHIKODE**

PETITIONER(S)/ACCUSED:

**NISAR, AGED 21 YEARS,
S/O.SULAIMAN, PUTHUKKUDI HOUSE,
KODUVALLI P.O., KOZHIKODE.**

BY ADV. SRI.LUIZ GODWIN DCOUTH

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT:

**1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF
POLICE, KODENCHERRY POLICE STATION,
KOZHIKODE RURAL DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

**2. ANIYAMMA, AGED 62 YEARS,
W/O.PAUL, VADAKKE MURIYIL,
NELLIPPOYIL VILLAGE, KODENCHERRY AMSOM DESOM,
THAMARASSERY TALUK, KOZHIKODE DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA
R2 BY ADV. SRI.JOSE KURIAKOSE (VILANGATTIL)**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

- ANNX.1 - COPY OF THE CHARGE IN CRIME NO.9/2013 OF KODANCHERRY POLICE STATION KOZHIKODE RURAL DISTRICT PENDING AS SC NO.425/13 ON THE FILE OF THE HON'BLE DISTRICT COURT, KOZHIKODE.**
- ANNX.2 - TRUE COPY OF THE TREATMENT CERTIFICATE ISSUED FORM GOVERNMENT MENTAL HEALTH CENTRE, KOZHIKODE DATED 14-4-2008.**
- ANNX.3 - TRUE COPY OF THE AFFIDAVIT DATED 18-9-2014 SWORN IN BY THE 2ND RESPONDENT**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.5660 of 2014 F
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Dated this the 12th day of November, 2015

O R D E R

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Petitioner is the accused in S.C. No.425/2013 of the Sessions Court, Kozhikode, which has arisen from Crime No.9/2013 of Kodancherry Police Station for the offence punishable under Section 394 IPC.

2. According to the petitioner, the matter has been amicably settled between him and the de facto complainant. It is the further case of the petitioner that he was suffering from psychosis and he was under treatment.

3. On considering the seriousness of the allegations against the petitioner and the similar antecedents, this Court is satisfied that this is not a fit case wherein this Court can accept and endorse the settlement arrived at between the

parties. At the same time, the said matters can be taken note of by the court below and expedite the disposal.

With the said observations, this CrI.M.C. is dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/12/11

// True Copy //

PA to Judge