

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Crl.MC.No. 6875 of 2015

**CC 592/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, PERINTHALMANNA
CRIME NO. 91/2008 OF PANDIKAD POLICE STATION, MALAPPURAM**

PETITIONER(S)/ACCUSED:

**ABDUL SALAM,
S/O.MUHAMMED, THENNADAN HOUSE, VETTIKATTIRI,
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.RAKESH

RESPONDENT(S)/STATE AND INJURED AND DEFACTO COMPLAINANT:

**1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682031 FOR THE SUB INSPECTOR OF POLICE,
PANDIKKAD POLICE STATION, MALAPPURAM DISTRICT.**

**2. ABDUL ASEEZ SAKHAFI,
S/O.MUHAMMED, CHULLIKULAVAN HOUSE, NALLENGARA,
VETTIKATTIRI AMSOM, MALAPPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 BY ADV. SMT.K.NISHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-11-2015, ALONG WITH CRMC. 6880/2015, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 6875 of 2015

APPENDIX

PETITIONERS' ANNEXURES

**ANNEXURE A: COPY OF THE FINAL REPORT/CHARGE IN CRIME NO.91/2008 OF THE
PANDIKKAD POLICE STATION**

ANNEXURE B: COPY OF THE AFFIDAVIT SWORN TO BY THE R2 DATED 16/9/15.

RESPONDENTS' ANNEXURS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

=====

Crl.M.C. Nos.6875 & 6880 of 2015

=====

Dated this the 2nd day of November, 2015

ORDER

Petitioners are A2 and A5 in Crime No.91 of 2008 of the Pandikkad Police Station, registered for the offences punishable under Sections 143, 147, 341, 323, 506(ii) read with Section 149 IPC.

2. After investigation, a Final Report was filed and the matter was taken cognizance of by the Judicial First Class Magistrate's Court-II, Perinthalmanna as C.C.No.676 of 2008. In the said case, all the accused, except the petitioners, faced trial and all of them were acquitted. The case against the 2nd accused, who is the petitioner in Crl.M.C.No.6875 of 2015, is

split up and re-filed as C.C.No.592 of 2015. The case against the 5th accused, who is the petitioner in Crl.M.C.No.6880 of 2015, is entered into Long Pending Register as L.P.No.62 of 2013 before the court below.

2. The matter has been amicably settled between the parties. According to the petitioners, the matter has been settled by them with the defacto complainant, who is the 2nd respondent herein. The 2nd respondent has filed Annexure-B affidavit affirming that the matter has been amicably settled between them and he has 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. No criminal antecedents have been reported against the petitioners. Matters being so, all further proceedings in C.C.No.592 of 2015 and L.P.No.62 of 2013 of the Judicial First Class Magistrate's Court-II, Perinthalmanna, which have arisen from Crime No.91 of 2008 of the Pandikkad Police Station can

be quashed.

In the result, these Crl.M.Cs. are allowed and all further proceedings in C.C.No.592 of 2015 and L.P.No.62 of 2013 of the Judicial First Class Magistrate's Court-II, Perinthalmanna, which have arisen from Crime No.91 of 2008 of the Pandikkad Police Station are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/2/11/15

// True Copy //

P.A. To Judge