

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. 6885 of 2015 ()

CC. NO.777/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM.
CRIME NO. 689/2011 OF ERAVIPURAM POLICE STATION, KOLLAM DISTRICT.
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PETITIONERS/ACCUSED 1 & 2:

1. SHANEER, S/O.HABEEB,
AGED 34 YEARS, THEKKINMMOODU VEEDU,
ZAKKIR HUSSAIN NAGAR, PAZHAYATTUKUZH,
KAYYALAKKAL CHERRY, ERAVIPURAM VILLAGE,
KOLLAM DISTRICT.

2. RAHIM, S/O.JAMALUDEEN, AGED 34 YEARS,
OTTATHIKIZHAKKATHIL VEEDU,
HYDRALI NAGAR 59, KAYYALAKKAL CHERRY,
ERAVIPURAM VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.R.SATISH KUMAR.

RESPONDENTS/COMPLAINANT & DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031,
(REPRESENTING STATION HOUSE OFFICER,
ERAVIPURAM POLICE STATION, KOLLAM DISTRICT).

2. FIROZ, S/O.NAZAR, AGED 23 YEARS,
THOPPIL VEEDU, PALLIMUKKUCHERRY,
ERAVIPURAM VILLAGE, KOLLAM-691 011.

3. ZIAD, S/O.SAINUDEEN, AGED 27 YEARS,
MANAKKATTIL VAYALIL VEEDU,
PALLIMUKKU MURI, VADAKKEVILA VILLAGE, KOLLAM-691 010.

R1 BY PUBLIC PROSECUTOR SMT.P. MAYA.
R2 & R3 BY ADV. SMT.T.J.SEEMA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE-A1:** TRUE COPY OF THE FIR IN CRIME NO.689/2011 OF ERAVIPURAM POLICE STATION.
- ANNEXURE-A2:** TRUE COPY OF THE CHARGE SHEET IN CRIME NO.689/2011 OF ERAVIPURAM POLICE STATION.
- ANNEXURE-A3:** NOTARISED AFFIDAVIT DATED 10/08/2015 SWORN BY THE 2ND RESPONDENT.
- ANNEXURE-A4:** NOTARISED AFFIDAVIT DATED 10/08/2015 SWORN BY THE 3RD RESPONDENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B.KEMAL PASHA, J.

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Crl.M.C. No. 6885 of 2015

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Dated this the 2nd day of November, 2015

ORDER

Petitioners are the accused in C.C No.777/2011 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.689/2011 of the Eravipuram Police Station, Kollam District, for the offences punishable under Sections 341, 323, 506(1) and 427 read with Section 34 IPC.

2. All the offences involved are compoundable. The parties have settled the matter amicably. The de facto complainant and the other injured witness are respondents 2 and 3. They have filed separate affidavits as Annexures A-3 and A-4, affirming that the matter has been settled between them and they have no complaints against the petitioners.

3. When the matter has been amicably settled between the parties, no purpose would be served in

proceeding with the matter further and therefore, all further proceedings in C.C No.777/2011 of the Judicial First Class Magistrate's Court-II, Kollam based on Annexure -A2 Final Report, can be quashed.

In the result, this Crl.M.C is allowed and Annexure -A2 final report and all further proceedings in C.C No.777/2011 of the Judicial First Class Magistrate's Court-II, Kollam, based on it, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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