

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

Cr1.MC.No. 6954 of 2015 ()

CC 10/2011 of JUDICIAL FIRST CLASS MAGISTRATE'S COURT-II,
KOLLAM

CRIME NO. 1127/2010 OF SAKTHIKULANGARA POLICE STATION, KOLLAM

PETITIONERS/ A1 TO A3:

1. DICKSON, AGED 28 YEARS,
S/O.ELIAS, RESIDING AT ALUVILA THEKKATHIL,
SAKTHIKULANGARA CHERRY, SAKTHIKULANGARA VILLAGE,
KOLLAM DISTRICT.

2. CLINTON, AGED 23 YEARS,
S/O.JOHN, RESIDING AT KATTUVILA PUTHUVAL,
SAKTHIKULANGARA CHERRY, SAKTHIKULANGARA VILLAGE,
KOLLAM DISTRICT.

3. ROSHAN, AGED 23 YEARS,
S/O.JOSEPH, RESIDING AT KARUNATTU THOPPIL,
SAKTHIKULANGARA CHERRY, SAKTHIKULANGARA VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.N.SUNIL JOSEPH

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM 682 031,
REPRESENTING THE SUB INSPECTOR OF POLICE,
SAKTHIKULANGARA POLICE STATION,
KOLLAM DISTRICT- 691 001.

Crl.MC.No. 6954 of 2015 ()

2. JOSE @ HOLY MOTHER, AGED 43 YEARS,
S/O.XAVIER, RESIDING AT KALLUMMOOTTIL THOPPIL
SAKTHIKULANGARA CHERRY, SAKTHIKULANGARA VILLAGE,
KOLLAM DISTRICT-691 001.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA
R2 BY ADV. SRI.B.BIPIN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 09-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

DSV/12/11/15

Cr1.MC.No. 6954 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE A1. COPY OF THE FIR IN CRIME NO.1127/10 OF
SAKTHIKULANGARA POLICE STATION.

ANNEXURE A2. COPY OF THE CHARGE SHEET IN CC 10/11 ON THE FILE
OF THE HONOURABLE JUDICIAL FIRST CLASS MAGISTRATE COURT II,
KOLLAM.

ANNEXURE A3. COPY OF THE AFFIDAVIT SWORN BY THE 2ND
RESPONDENT.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/12/11/15

B.KEMAL PASHA, J.

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Crl.M.C. No. 6954 of 2015

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Dated this the 9th day of November, 2015

ORDER

Petitioners are accused in C.C. No.10 of 2011 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.1127 of 2010 of the Sakthikulangara Police Station, registered for the offences punishable under Sections 341 and 323 of the Indian Penal Code read with Section 34 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the 2nd respondent herein. The defacto complainant has filed Annexure-A3 affidavit affirming that the matter has been amicably settled between him and the petitioners and he has no complaints against the petitioners.

3. No criminal antecedents have been reported against the petitioners. When the matter has been amicably settled, no

purpose would be served in proceeding with the matter further, and therefore, all further proceedings against the petitioners in C.C. No.10 of 2011 pending before the Judicial First Class Magistrate's Court-II, Kollam, based on Annexure-A2 Final Report in Crime No.1127 of 2010 of the Sakthikulangara Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioners in C.C. No.10 of 2011 pending before the Judicial First Class Magistrate's Court-II, Kollam, based on Annexure-A2 Final Report in Crime No.1127 of 2010 of the Sakthikulangara Police Station, are hereby quashed.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/11/11/15

// True Copy //

P.A. To Judge