

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. 6992 of 2015 ()

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CC 1012/2012 of JUDICIAL FIRST CLASS MAGISTRATE'S COURT-III,  
NEYYATTINKARA  
CRIME NO. 283/2012 OF KANJIRAMKULAM POLICE STATION,  
THIRUVANANDAPURAM

PETITIONERS/A1 TO A5:

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1. ADOLF, AGED 34 YEARS,  
ERIKALLU VILA VEETIL, THIRUPURAM VILLAGE, POOVAR,  
THIRUVANANTHAPURAM.

2. REXPAUL, AGED 29 YEARS,  
ERIKALLU VILA VEETIL, THIRUPURAM VILLAGE, POOVAR,  
THIRUVANANTHAPURAM.

3. PRASANTH, AGED 34 YEARS,  
S/O.JOSEPH, ERIKALLU VILA VEETIL, THIRUPURAM VILLAGE,  
POOVAR, THIRUVANANTHAPURAM.

4. BAIJU, AGED 32 YEARS,  
BAIJU NIVAS, ERIKALLU VILA VEETIL, THIRUPURAM VILLAGE,  
POOVAR, THIRUVANANTHAPURAM.

5. FIGI GEORGE, AGED 30 YEARS,  
S/O.GORGONE, ERIKALLU VILA VEETIL, THIRUPURAM VILLAGE,  
POOVAR, THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.SARIN

RESPONDENTS/COMPLAINANT:

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1. THE STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-628 231.

2. ARUN, AGED 22 YEARS,  
S/O.SADANANDHAN, KATTUVILAKAM VEEDU, NEAR SNDP SCHOOL,  
KARUMKULAM, THIRUVANANTHAPURAM DISTRICT-695 001.

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3. DILEEP, AGED 32 YEARS,  
LALU BHAVAN, KARUMKULAM,  
THIRUVANANTHAPURAM DISTRICT-695 001.

4. RAHUL KRISHNA R, AGED 23 YEARS,  
S/O.RAJENDRAN, K.P.NIVAS, KOCHUTHURA,  
KARUMKULAM, THIRUVANANTHAPURAM DISTRICT-695 001.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA  
R2,R3 & R4 BY ADV. SRI.AJAYA KUMAR. G

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. 6992 of 2015 ()  
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APPENDIX

PETITIONERS' ANNEXURES:  
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ANNEXURE A1- COPY OF THE FIR NO.283/12 OF KANJIRAMKULAM POLICE STATION.

ANNEXURE A2- COPY OF THE FINAL REPORT IN C.C.NO.1012/12 BEFORE JUDICIAL FIRST MAGISTRATE COURT-III- NEYYATTINKKARA FILED BY SUB INSPECTOR OF POLICE KANJIRAMKULAM.

ANNEXURE A3- AFFIDAVIT SIGNED BY THE 2ND RESPONDENT.

ANNEXURE A4- AFFIDAVIT SIGNED BY THE 3RD RESPONDENT.

ANNEXURE A5- AFFIDAVIT SIGNED BY THE 4TH RESPONDENT.

RESPONDENTS' ANNEXURES:  
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NIL

// True Copy //

P.A. To Judge

DSV/12/11/15

**B.KEMAL PASHA, J.**

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Crl.M.C. No. 6992 of 2015

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Dated this the 9<sup>th</sup> day of November, 2015

**ORDER**

Petitioners are accused in C.C. No.1012 of 2012 of the Judicial First Class Magistrate's Court-III, Neyyattinkara, which has arisen from Crime No.283 of 2012 of the Kanjiramkulam Police Station, registered for the offences punishable under Sections 143, 147, 148, 323 and 324 of the Indian Penal Code read with Section 149 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the 2<sup>nd</sup> respondent herein, and the other injured persons, who are respondents 3 and 4 herein. The defacto complainant and the other injured persons have filed Annexure-A3, Annexure-A4 and Annexure-A5 affidavits affirming that the matter has been amicably settled between them and the petitioners and they have 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 in C.C. No.1012 of 2012 pending before the Judicial First Class Magistrate's Court-III, Neyyattinkara, as against the petitioners, based on Annexure-A2 Final Report in Crime No.283 of 2012 of the Kanjiramkulam Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C. No.1012 of 2012 pending before the Judicial First Class Magistrate's Court-III, Neyyattinkara, as against the petitioners, based on Annexure-A2 Final Report in Crime No.283 of 2012 of the Kanjiramkulam Police Station, are hereby quashed.

Sd/-  
**B.KEMAL PASHA**  
**JUDGE**

DSV/11/11/15

// True Copy //

*P.A. To Judge*