

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

CrI.MC.No. 7017 of 2015 ()

SC 486/2014 of I ADDL. SESSIONS COURT, THIRUVANANDAPURAM

PETITIONER/ACCUSED :

**SHIJU, S/O. PAVITHRANPADARAVILA VEEDU,
CHITTARIKONAM MAKARAN MUKKU,
AZHOOR VILLAGE TRIVANDRUM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT/STATE/ COMPLAINANT :

**1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

**2. KRISHNA PRASAD, AGED 24 YEARS,
S/O. GOPALAKRISHNAN NAIR, KRISHNA BHAVAN,
MUTTAPPALAM AZHOOR VILLAGE TRIVANDRUM - 695001**

**R1 BY PUBLIC PROSECUTOR SMT. MAYA P.
R2 BY ADV. SRI.AJAYA KUMAR. G**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S ANNEXURES :

- ANNEXURE A1 :** COPY OF THE FIR NO. 205/2008 OF CHIRAYINKIL POLICE STATION.
- ANNEXURE A2:** COPY OF THE FINAL REPORT IN SE NO. 486/2014 PENDING BEFORE 1ST ADDL. SESSION COURT THIRUVANANTHAPURAM FILED BY SUB INSPECTOR OF POLICE CHIRAYINKIYIL.
- ANNEXURE A3:** AFFIDAVIT SIGNED BY THE R2.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B.KEMAL PASHA, J.

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Crl.M.C. No. 7017 of 2015

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Dated this the 17th day of November, 2015

ORDER

The petitioner is the accused in S.C.No.486 of 2014 pending before the I Additional Sessions Court, Thiruvananthapuram, for the offences under Sections 323 and 324 IPC.

2. Presently the matter has been settled between the parties. The learned Public Prosecutor has pointed out that the petitioner is the accused in two other crimes for serious offences including the offence under Section 395 IPC. In such case, this Court is of the view that premature termination of the prosecution proceedings in the case against the petitioner cannot be entertained by this Court. At the same time, the court

below can take note of the settlement, take the case out of turn,
and dispose it of expeditiously.

With the said observation, this Crl.M.C. is dismissed.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/17/11/15

// True Copy //

P.A. To Judge