

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

Crl.MC.No. 7026 of 2015

SC 199/2014 OF PRINCIPAL SESSION'S COURT, KASARAGOD
CRIME NO. 777/2012 OF CHANDERA POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED 1 AND 9:

1. PADMARAJAN K.V. @ PADMARAJ, AGED 29 YEARS,
S/O.PADMANABHAN, RESIDING AT KOVVAL HOUSE,
PADNE KADAPPURAM, PADNE VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
2. VINOD P.P, AGED 34 YEARS,
S/O.P.V.AMBU, RESIDING AT PUTHIYAPURAYIL HOUSE,
PADNE KADAPPURAM, PADNE VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
3. BIJU A.V, AGED 24 YEARS,
S/O.NARAYANAN, RESIDING AT ARAKKAL HOUSE,
PADNE KADAPPURAM, PADNE VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.
4. SHAHID K.P @ SAYID, AGED 26 YEARS,
S/O.MUHAMMADALI, RESIDING AT PADNE KADAPPURAM,
PADNE VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.
5. K.K.RIYAS, AGED 26 YEARS,
S/O.ABDUL RAHIMAN, RESIDING AT PADNE KADAPPURAM
PADNE VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.
6. SUGUNAN P.P, AGED 32 YEARS,
S/O.AMBU, RESIDING AT PUTHIYAPURAYIL HOUSE,
BEECHARAKADAVU, PADNE KADAPPURAM, PADNE VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.
7. RANJITH K, AGED 22 YEARS,
S/O.MADHU T, RESIDING AT KUTHIRUMMAL HOUSE,
PADNE KADAPPURAM, PADNE VILLAGE, HOSDURG TALUK
KASARAGOD DISTRICT.

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8. VIPIN K.P, AGED 21 YEARS,
S/O.BABU, RESIDING AT KALATHILPURAYIL HOUSE,
BEECHARAKADAVU, PADNE KADAPPURAM, PADNE VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.
9. RAJESH V.V, AGED 30 YEARS,
S/O.SASI, RESIDING AT VAZHAVALAPPIL HOUSE,
BEECHARAKADAVU, PADNE KADAPPURAM, PADNE VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.T.MADHU

RESPONDENT(S)/STATE:

1. STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
CHANDERA POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.
2. MUHAMMED MUHSIN, AGED 19 YEARS,
S/O.ABDUL SALAM, RESIDING AT MADAPPURAM HOUSE,
BEECHARAKADAVU, PADNE KADAPPURAM, PADNE VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.
3. SULAIMAN MADAKARA, AGED 21 YEARS,
S/O.V.P.ABDUL KAREEM, RESIDING AT BADARIYA HOUSE,
MADAKARA, HOSDURG TALUK, KASARAGOD DISTRICT.
4. KUNHAMED ALI, AGED 19 YEARS,
S/O.MUHAMMED KUNHI, RESIDING AT A.C HOUSE,
MAVILA KADAPPURAM, HOSDURG TALUK, KASARAGOD DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA
R2-R4 BY ADV. SMT.G.SANGEETHA

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

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APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE A1. COPY OF THE FIR IN CRIME NO.777/12 OF CHANDERA POLICE STATION.

ANNEXURE A2. COPY OF THE FINAL REPORT IN CRIME 777/12 OF CHANDERA POLICE STATION.

ANNEXURE A3. COPY OF THE AFFIDAVIT DATED 26.10.15 SWORN IN BY THE 2ND RESPONDENT.

ANNEXURE A4. COPY OF THE AFFIDAVIT DATED 26.10.15 SWORN IN BY THE 3RD RESPONDENT.

ANNEXURE A5. COPY OF THE AFFIDAVIT DATED 26.10.15 SWORN IN BY THE 4TH RESPONDENT.

ANNEXURE A6. COPY OF THE WOUND CERTIFICATE OF 2ND RESPONDENT DATED 11.10.12.

ANNEXURE A7. COPY OF THE WOUND CERTIFICATE OF 3RD RESPONDENT DATED 11.10.12.

ANNEXURE A8. COPY OF THE WOUND CERTIFICATE OF 4TH RESPONDENT DATED 11.10.12.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 7026 of 2015

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Dated this the 9th day of November, 2015

ORDER

The petitioners are accused in Crime No.777 of 12 of the Chandra Police Station, registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 IPC read with Section 149 IPC.

2. It seems that the matter has been amicably settled between the parties. The copies of the wound certificates of the defacto complainant, who is the 2nd respondent, and the other injured, who are respondents 3 and 4, are produced as Annexure-A6, Annexure-A7 and Annexure-A8, which reveal that the injuries were trivial.

3. On going through the matter, this Court is satisfied that there are no ingredients to invite an offence under Section 308 IPC in the matter. Respondents 2, 3 and 4 have filed separate affidavits as Annexure-A3, Annexure-A4 and Annexure-A5,

affirming that the matter has been amicably settled between them and the petitioners and respondents 2, 3 and 4 have 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. Matters being so, all further proceedings in Annexure-A1 First Information Report and Annexure-A2 Final Report in Crime No.777 of 2012 of the Chandra Police Station can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in Annexure-A1 First Information Report and Annexure-A2 Final Report in Crime No.777 of 2012 of the Chandra Police Station are hereby quashed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/11/11/15

// True Copy //

P.A. To Judge