

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. 7028 of 2015 ()

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CC 361/2012 of JUDICIAL FIRST CLASS MAGISTRATE COURT-III,
NEYYATTINKARA
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PETITIONERS/ACCUSED NO. 1 TO 5 :

- 1. SAJAD, AGED 41 YEARS,S/O. JABBAR,
KAYIKKARA VEEDU, AMBOORI VILLAGE,
KOVILOOR DESOM, KUDAPPANAMOOD,
THIRUVANANTHAPURAM DISTRICT.**
- 2. SAITHALI, AGED 35 YEARS,
S/O. LATHEEF, SHEEBA HOUSE, AMBOORI VILLAGE,
KOVILOOR DESOM, KUDAPPANAMOOD,
THIRUVANANTHAPURAM DISTRICT.**
- 3. NAUSHAD, AGED 35 YEARS,
S/O.MUHAMMED HANIFA, ROADARIKATHU VEEDU
AMBOORI VILLAGE, KOVILOOR DESOM, KUDAPPANAMOOD,
THIRUVANANTHAPURAM DISTRICT.**
- 4. SADIQ, AGED 33 YEARS,
S/O.MUHAMMED HANIFA, SUDHEER MANZIL, AMBOORI VILLAGE
KOVILOOR DESOM, KUDAPPANAMOOD
THIRUVANANTHAPURAM DISTRICT.**
- 5. SHAHUL HAMEED, AGED 52 YEARS,
S/O.SULAIMAN, HAMEED MANZIL, AMBOORI VILLAGE,
KOVILOOR DESOM, KUDAPPANAMOOD,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.P.BIJU

RESPONDENTS/STATE & COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 031.**

- 2. HANEEFA, AGED 65 YEARS,
S/O.PEERUMUHAMMED, P.V HOUSE, AMBOOR VILLAGE
KOVILOOR DESOM, KADAPPANAMOOD, NEYYATTINKARA TALUK
THIRUVANANTHAPURAM DISTRICT.**
- 3. SHAMEEM, AGED 33 YEARS,
S/O.SHAHULHAMEED, SHAMEER MANZIL, AMBOOR VILLAGE
KOVILOOR DESOM, KADAPPANAMOOD, NEYYATTINKARA TALUK
THIRUVANANTHAPURAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE
R2 & R3 BY ADV. SRI.ANISH PAUL**

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE 1: COPY OF THE FINAL REPORT IN CRIME 558/05 OF VELLARADA
POLICE STATION THIRUVANANTHAPURAM DISTRICT.**

ANNEXURE 1I: COPY OF THE AFFIDAVIT SWORN BY 2ND RESPONDENT.

ANNEXURE 1II: COPY OF THE AFFIDAVIT SWORN BY 3RD 2ND RESPONDENT.

**ANNEXURE 1V: COPY OF THE WOUND CERTIFICATE DATED 2.10.05 ISSUED BY
RUCKMONI MEMORIAL DEVI HOSPITAL THIRUVANANTHAPURAM.**

**ANNEXURE 1V: COPY OF THE WOUND CERTIFICATE DATED 2.10.05 ISSUED BY THE
RUCKMONI MEMORIAL DEVI HOSPITAL THIRUVANANTHAPURAM.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B.KEMAL PASHA, J.

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Crl.M.C. No. 7028 of 2015

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Dated this the 9th day of November, 2015

ORDER

Petitioners are the accused in C.C. No.361 of 2012 of the Judicial First Class Magistrate's Court-III, Neyyatinkara, which has arisen from Crime No.558 of 2005 of the Vellarada 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 2nd respondent herein and the other injured, who is the 3rd respondent herein. The defacto complainant and the other injured have filed Annexure-II and Annexure-III 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.361 of 2012 pending before the Judicial First Class Magistrate's Court-III, Neyyatinkara as against the petitioners, based on Annexure-I Final Report in Crime No.558 of 2005 of the Vellarada Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C. No.361 of 2012 pending before the Judicial First Class Magistrate's Court-III, Neyyatinkara as against the petitioners, based on Annexure-I Final Report in Crime No.558 of 2005 of the Vellarada Police Station, are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/11/11/15

// True Copy //

P.A. To Judge