

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Crl.MC.No. 7043 of 2015

**CC 1349/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD
CRIME NO. 499/2011 OF VIDYA NAGAR POLICE STATION, KASARGOD**

PETITIONERS/ACCUSED:

1. T.A.ABDULRAHIMAN, AGED 30 YEARS,
S/O T.A.ABUBACKER, SAMSEENA MANZIL, HOUSE NO.CGP4/163,
THEKKE MOOLA, ERUTHUMKADAVU, MUTTATHODI VILLAGE,
MUTTATHODI P.O., PIN:671123.
2. MUHAMMED RAFFI T.A., AGED 30 YEARS,
S/O. IBRAHIM, BAGDADIYAM QUARTERS,
HOUSE NO.CGP.4/518D (19/488(A), THEKKE MOOLA,
ERUTHUMKADAVU, MUTTATHODI VILLAGE, PIN:671123.
3. SAFFARULLA T.M., AGED 28 YEARS,
S/O T.N.BASHEER, SAMEEMA MANZIL, HOUSE NO.CGP-22/435,
THEKKE MOOLA, ERUTHUMKADAVU, MUTTATHODI VILLAGE,
PIN:671123.
4. ISMAIL P.E., AGED 32 YEARS,
S/O MUHAMMED IBRAHIM, AAZHIQUE MANZIL
HOUSE NO.CGP 19/160, THEKKE MOOLA, ERUTHUMKADAVU,
MUTTATHODI VILLAGE-671123.

BY ADV. SMT.REENA ABRAHAM

REPOENDENTS/STATE AND DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. THE STATION HOUSE OFFICER,
VIDYANAGAR POLICE STATION, KASARAGOD.
3. SIJI MATHEW, AGED 40 YEARS,
S/O K.A.MATHEW, RESIDING AT GADIGUDDE,
KUMBADAJE VILLAGE, KASARAGOD TALUK, KUMBADAJE P.O.-671551.

**R1 & 2 BY PUBLIC PROSECUTOR SMT.MAYA
R3 BY ADV. SRI.SUBASH BOZZ V.M.**

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

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1: A TRUE COPY OF THE F.I.R IN CRIME NO.499/2011 ON THE FILE OF
VIDYANAGAR POLICE STATION, KASARAGODE.**

**ANNEXURE A2: CERTIFIED COPY OF FINAL REPORT DATED 29.12.2012 IN CRIME
NO.499/2011 OF THE VIDYANAGAR POLICE STATION, KASARGODE,
SUBMITTED BY THE SECOND RESPONDENT**

ANNEXURE A3: AFFIDAVIT SWORN TO BY THE THIRD RESPONDENT.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.7043 of 2015
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Dated this the 11th day of November, 2015

ORDER

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Petitioners are the accused in CC No.1349/2012 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.499/2011 of Vidyanagar Police Station for the offences punishable under Sections 452 and 427 read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the de facto complainant, who is the 3rd respondent herein.

3. The 3rd respondent has filed Annexure-A3 affidavit affirming that the matter has been amicably settled between him and the petitioners and presently, he has no complaints against the petitioners. No criminal antecedents have been reported against the petitioners. The injuries sustained to the de facto complainant are trivial. No

purpose would be served in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in CC No.1349/2012 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.499/2011 of Vidyanagar Police Station, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings against the petitioners in CC No.1349/2012 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.499/2011 of Vidyanagar Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/11/11

// True Copy //

PA to Judge