

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

Crl.MC.No. 5860 of 2014

CRIME NO. 1865/2014 OF KAYAMKULAM POLICE STATION , ALAPPUZHA

PETITIONER(S)/DEFACTO COMPLAINANT:

**ASHRAF, AGED 40 YEARS,
SON OF KOYAKUTTY, MALIYEKKAL VEEDU, CHERAVALLY VILLAGE
KAYAMKULAM VILLAGE, KAYAMKULAM P.O.
ALAPPUZHA - 690 502.**

**BY ADVS.SRI.P.B.SAHASRANAMAN
SRI.T.S.HARIKUMAR**

RESPONDENT(S)/STATE AND THE ACCUSED PERSON:

- 1. STATE OF KERALA,
REPRESENTED BY ITS SUB INSPECTOR OF POLICE
KAYAMKULAM POLICE STATION
KAYAMKULAM REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SAYID HAJI SHOUKATHU ALI @ MADAVOOR THANGAL
(K.M.IBRAHIM SHOUKATHU ALI), S/O. MOOSAKUNJU
PATHIYUR MANZIL, DASHINA KANNADA JILLA
KARNATAKA - 560 003.**
- 3. SAJU @ MARIAM SAJU,
KANIYAMPARAMBIL, KAYAMKULAM MURI, KAYAMKULAM P.O.
PIN - 690 502.**

R1 BY PUBLIC PROSECUTOR SMT.S.HYMA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 5860 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES

**A1 - CERTIFIED COPY OF THE FIR IN CRIME NO. 1865 OF 2014 OF THE
KAYAMKULAM POLICE STATION, DT. 07.7.14**

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.UBAID, J.
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**Crl.M.C No. 5860 of 2014**  
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Dated this the 22nd January, 2015

ORDER

The petitioner herein is the de facto complainant in Crime No.1865 of 2014 of the Kayamkulam Police Station, registered under Sections 420 and 406 of Indian Penal Code and also under Sections 2 and 7 of the Magic Remedies Act.

2. The respondents 2 and 3 herein are the accused in the crime. They and the complainant have now come to terms. The petitioner's complaint is that the accused received a huge amount under a false promise. Anyway, now the dispute stands amicably settled, and the de facto complainant has no grievance or complaint. He himself has come before this Court for quashing the prosecution. I find that the parties have really settled the dispute and continuance of prosecution will cause harm and hardship to both the parties.

In the result, this petition is allowed. The F.I.R and further proceedings in Crime No.1865 of 2014 of the

Kayamkulam Police Station will stand quashed under Section 482 of the Code of Criminal Procedure.

**Sd/-
P.UBAID
JUDGE**

ma

/True copy/

P.S to Judge