

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

Cr1.MC.No. 7125 of 2015 ()

CRIME NO. 1338/2013 OF VATAKARA POLICE STATION, KOZHIKODE

PETITIONERS/ACCUSED NO.1 TO 10:

1. ARJUN P.S., AGED 23 YEARS,
S/O.PRABHAKARAN, POURNAMI HOUSE, KEEZHAAL P.O.,
VADAKARA(VIA), KOZHIKODE-673 104.
2. SIJINDAS, AGED 23 YEARS,
S/O.GOVINDANKUTTY, ONNAMTHERIKKAL HOUSE, KARAYAD P.O.,
MEPPAYUR(VIA)-673 524.
3. AKASH NARAYANAN, AGED 22 YEARS,
S/O.NARAYANAN NAIR, CHAMERI KUNNUMMAL HOUSE,
KURUVAGAD.P.O., KOYILANDI(VIA), KOZHIKODE-673 620.
4. DILIN K., AGED 21 YEARS,
S/O.ACHUTHAN, MIDHILAYAM HOUSE, PURAMERI(VIA),
VATAKARA, KOZHIKODE-673 503.
5. ROHAN K.VIJAYANARAYANAN
S/O.VIJAYANARAYANAN K., MEERA NIVAS, KOYILANDI,
KOZHIKODE-673 307.
6. AKHIL CHANDRAN, AGED 22 YEARS,
S/O.CHANDRAN K.K, SOUPARNIKA HOUSE, KADALLUR P.O.,
KOYILANDI, KOZHIKODE-673 529.
7. AKSHAY KUMAR K.P., AGED 20 YEARS,
S/O.KRISHNAN K.P, KIZHAKKE PARAMBATH HOUSE,
PALAYAD.P.O., IRINGAL VAZHI, VATAKARA-673 521.
8. VISHUDAS, AGED 20 YEARS,
S/O.HARIDASAN, HARIPURAM HOUSE, PALAYAD NADA,
IRIGHAL(VAZHI), VATAKARA.

9. VAISHAK RAJAGOPAL,
AGED 23 YEARS, S/O.RAJAGOPALAN.T.M.
SABARISHA SADANAM, KURUVANGAD.P.O., KOYILANDI (VIA) ,
KOZHIKODE-673 620.

10. AMAL K., AGED 22 YEARS,
S/O.ASOKAN, KALANDIYIL HOUSE, CHOMBALA,
VATAKARA.

BY ADVS.SRI.C.KHALID
SMT.K.REEHA KHADER

RESPONDENTS/DEFACTO COMPLAINANT INJURED AND STATE:

1. MIDHUN M.M., AGED 21 YEARS,
S/O.INDIRA, MALOLMITHAL, MADAPALLY,
ONCHIYAM PANCHAYAT, VATAKARA-673 308.

2. HARIKRISHNAN, AGED 19 YEARS,
S/O.NARAYANAN, CHERIYA MEERUNDODI, CHANIYANKADAVU P.O.,
VATAKARA-673 541.

3. ARJUN K., AGED 21 YEARS,
S/O.ACHUTHAN, KUNJIROL HOUSE, THIRUVALLUR P.O.,
VATAKARA-673 541.

4. STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE
VATAKARA POLICE STATION, KOZHIKODE
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA
COCHIN-31.

R1,R2 & R3 BY ADV. SMT.NAMITHA JYOTHISH
R4 BY PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

DSV/10/12/15

Cr1.MC.No. 7125 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE NO.1- COPY OF THE FIR IN CRIME NO.1338/13 OF
VATAKARA POLICE STATION DATED 07.09.2013.

ANNEXURE NO.11- COPY OF THE AFFIDAVIT FILED BY THE RESPONDENT.

ANNEXURE NO.III- COPY OF THE AFFIDAVIT FILED BY THE INJURED.

ANNEXURE NO.IV- COPY OF THE AFFIDAVIT FILED BY THE INJURED.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/10/12/15

B.KEMAL PASHA, J.

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Crl.M.C. No.7125 of 2015

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Dated this the 8th day of December, 2015

ORDER

Petitioners are accused in Crime No.1338 of 2013 of the Vadakara Police Station, Kozhikode, registered for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 read with Section 149 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the 1st respondent herein and the other injured persons, who are respondents 2 and 3 herein. The defacto complainant and the other injured persons have filed Annexure-II, Annexure-III and Annexure-IV affidavits affirming that the matter has been

amicably settled between them and the petitioners and they have no complaints against the petitioners.

3. When the matter has been amicably settled, no purpose would be served in proceeding with the matter further, and therefore, Annexure-I First Information Report in Crime No.1338 of 2013 of the Vadakara Police Station, Kozhikode, and all further proceedings as against the petitioners based on it, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-I First Information Report in Crime No.1338 of 2013 of the Vadakara Police Station, Kozhikode, and all further proceedings as against the petitioners based on it, are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/8/12/15

// True Copy //

P.A. To Judge