

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Crl.MC.No. 7161 of 2015 ()

CC 282/2015 of CHIEF JUDICIAL MAGISTRATE COURT, MANJERI

PETITIONERS/ACCUSED :

- 1. MUHAMAD, S/O.UNEENKUTTY,
ALPARAMBA HOUSE, ANTHIYOORKUNNE P.O.,
PULIKKAL AMSOM, MALAPPURAM DISTRICT.**
- 2. ABDUL RAZAK,
S/O.ABDULLA, VALAPIL HOUSE, KUMMINIPARMBA P.O.,
PALLIKKAL AMSOM, ALPARAMBA, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.RAKESH

RESPONDENTS/STATE & DEFACTO COMPLAINANT & INJURED::

- 1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKUALAM
KOCHI 682 031FOR THE SUB INSPECTOR OF POLICE,
KARIPOOR POLICE STATION, MALAPPURAM DISTRICT.**
- 2. AHAMMEDKUTTY
S/O.HYDROSE, KUZHIMANNA AMSOM, DESOM
KONDOTTY, MALAPPURAM DISTRICT, PIN: 673 641.**
- 3. YAHYA FAICY
S/O. ALI, MELMURI AMSOM, DESOM
ERNAD TALUK, MALAPPURAM DISTRICT, PIN: 676 121.**

**R1 BY PUBLIC PROSECUTOR SMT. P.MAYA
R2 & R3 BY ADV. SMT.K.NISHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 7161 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A: TRUE COPY OF THE FINAL REPORT/CHARGE IN CRIME NO.9/2010 OF
THE KARIPUR POLICE STATION.**

**ANNEXURE B: TRUE COPY OF JUDGMENT IN C.C. NO.27/2013 OF THE C.J.M.,
MANJERI DATED 10/9/2015.**

**ANNEXURE C: TRUE COPY OF AFFIDAVIT SWORN TO BY THE 2ND RESPONDENT
DATED 6/11/2015.**

**ANNEXURE D: TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE 3RD RESPONDENT
DATED 6/11/2015**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

B.KEMAL PASHA, J.

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Crl.M.C. No. 7161 of 2015

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Dated this the 23rd day of November, 2015

ORDER

Petitioners are accused in C.C.No.282 of 2015 of the Chief Judicial Magistrate's Court, Manjeri, which has arisen from Crime No.94 of 2012 of the Karipoor Police Station, registered for the offences punishable under Sections 143, 147, 148, 452, 341, 323, 324 and 506(ii) of the Indian Penal Code read with Section 149 IPC.

2. After investigation, a Final Report was filed and the matter was taken cognizance of by the Chief Judicial Magistrate's Court, Manjeri as C.C.No.27 of 2013. Except the petitioners, all other accused in the case stood for trial in C.C.No.27 of 2013. As the petitioners were out of station, the case against them was split up, and re-filed as C.C.No.282 of 2015 before the court below. Accused Nos. 2 to 4 faced the

trial, and they were acquitted as per Annexure-B Judgment.

3. 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-C and Annexure-D 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.282 of 2015 pending before the Chief Judicial Magistrate's Court, Manjeri, as against the petitioners, based on Annexure-A Final Report in Crime No.94 of 2012 of the Karipoor Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C.No.282 of 2015 pending before the Chief Judicial Magistrate's Court, Manjeri, as against the petitioners, based on Annexure-A Final Report in Crime No.94 of 2012 of the Karipoor Police Station, are hereby quashed.

**Sd/- B.KEMAL PASHA
JUDGE**

DSV/23/11/15

// true copy //

P.A. to Judge.