

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Cr1.MC.No. 7200 of 2015 ()

CC 384/2015 of J.M.F.C.-II, ALUVA

CRIME NO. 679/2013 OF ALUVA WEST POLICE STATION (ALANGAD),
ERNAKULAM

PETITIONER(S)/ACCUSED NOS.1 TO 7:

1. KAYEE @ ABDULKHADER, AGED 40 YEARS
S/O.KUNJIKOCHU, KANNARUPARAMBIL, THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM(DIST) .

2. ABDUL VAHAB @ MUTHU, AGED 54 YEARS
S/O.MUHAMED MOULAVI, VARANATTU (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

3. SHAJI, AGED 34 YEARS
S/O.ABDU, ASHARIPARAMBU (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

4. IRSHAD, AGED 26 YEARS
S/O.KUNJAMMU, KOOTTUNKAL PARAMBU (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

5. LIYAKHATH, AGED 23 YEARS
S/O.SHAMSUDEEN, KALLATHU (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

6. NAHAS, AGED 27 YEARS
S/O.THAHIR, THOOPPURATHU (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

7. ABDUL MANAF, AGED 33 YEARS
S/O.ABDUL KHADAR, KALLATH (H), THADIKKAKADAVU
WEST VELIYATHUNADUNADU KARA, KARUMALLOOR VILLAGE
ERNAKULAM (DIST) .

BY ADVS.SRI.ANIL K.MOHAMMED
SRI.V.S.MANSOOR

RESPONDENT(S)/COMPLAINANT, DEFACTO COMPLAINANT & CWS 2 TO 4:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

2. TOMY
S/O.JOSEPH, CHERUPANATHIL (H), MUTTINAKOM BHAGAM
VARAPUZHA KARA, VARAPUZHA VILLAGE, ERNAKULAM (DIST)
683540.

3. ANOOP KUMAR
S/O.PARAMESWARAN, PARUKKUDIYIL (H), KUNNATHUKUZHI KARA
KOTHAMANGALAM VILLAGE, ERNAKULAM (DIST), 683541.

4. SURESH
S/O.DHAMODHARAN, KUNDOOR (H), CHENGAMANADU KARA
CHENGAMANADU VILLAGE, ERNAKULAM (DIST), 683540.

5. SHIBU
S/O.PONNAN, ILANJIKKAL HOUSE, KARABEACH BHAGAM
EDAVILANGU VILLAGE, KODUNGALLOOR TALUK
THRISSUR (DIST), 683520.

R2-5 BY ADV. SRI.T.E.ISMAIL
R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Cr1.MC.No. 7200 of 2015 ()

APPENDIX

PETITIONER(S) ' ANNEXURES :

ANNEXURE-A: CERTIFIED COPY OF CHARGE SHEET IN C.C.NO.384/2015
OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ALUVA.

ANNEXURE-B: AFFIDAVIT DTD.26/09/2015 SWORN BY 2ND RESPONDENT.

ANNEXURE-C: AFFIDAVIT DTD.28/10/2015 SWORN BY 3RD RESPONDENT.

ANNEXURE-D: AFFIDAVIT DTD.28/10/2015 SWORN BY 4TH RESPONDENT.

ANNEXURE-E: AFFIDAVIT DTD.28/10/2015 SWORN BY 5TH RESPONDENT.

RESPONDENT(S) ' ANNEXURES : NIL

//TRUE COPY//

P.A TO JUDGE.

STU

B. KEMAL PASHA, J.

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CRL.M.C. No. 7200 of 2015
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Dated this the 24th day of November, 2015

ORDER

Petitioners are the accused Nos. 1 to 7 in C.C. No. 384/2015 of the Judicial First Class Magistrate's Court-II, Aluva, which has arisen from Crime No. 679/2013 of the Aluva West Police Station, Ernakulam District, registered for the offences punishable under Sections 143, 147, 447 and 506(i) read with Section 149 IPC.

2. It seems that the matter has been amicably settled between the parties. The de facto complainant, who is the 2nd respondent and three other injured in the case have filed separate 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. 384/2015 of the Judicial First Class Magistrate's Court-II, Aluva, as against the petitioners, based on Annexure – A Final Report, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C. No. 384/2015 of the Judicial First Class Magistrate's Court-II, Aluva, as against the petitioners, based on Annexure – A Final Report, are hereby quashed.

Sd/-

B. KEMAL PASHA, JUDGE.

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