

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q

Cr1.MC.No. 7262 of 2015 ()

C.C.NO.838/2014 OF JUDICIAL FIRST CLASS MAGISTRATE'S COURT-II,
ALUVA

CRIME NO. 161/2014 OF ELAMAKKARA POLICE STATION, ERNAKULAM

PETITIONERS/ACCUSED 1 TO 3:

1. YADULAL E.S., S/O.SUNILAL, AGED 23 YEARS,
ETTUKATTIL HOUSE, ELAMAKKARA P.O., KOCHI - 682 026.

2. JESWIN JOSEPH, AGED 22 YEARS,
S/O.HARILAL, KONAM KODATH HOUSE, VALLARPADAM P.O.,
KOCHI.

3. SARATH CHANDRAN, AGED 22 YEARS,
S/O.CHANDRAN, VARIYATHUMALI HOUSE,
ELAMAKKARA P.O., KOCHI - 682 026.

BY ADV. SRI.LAVARAJ M.G.

RESPONDENTS:

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

2. ANTONY M.D., AGED 34 YEARS,
S/O.DEVASSY, MUKKUNGAL HOUSE, LRA 124,
LAL SALAM ROAD, PONNURUNNI, VYTTILA P.O.,
KOCHI - 682 019.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.E.V. GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

DSV/30/11/15

Cr1.MC.No. 7262 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE-A1: COPY OF THE FI STATEMENT IN CRIME NO.161/2014
OF ELAMAKKARA POLICE STATION.

ANNEXURE-A2: COPY OF THE FIR DATED 16.4.2014 IN CRIME
NO.161/2014 OF ELAMAKKARA POLICE STATION.

ANNEXURE-A3: COPY OF THE CHARGE SHEET DATED 6.5.2014
SUBMITTED BY THE INVESTIGATING OFFICER IN CRIME NO.161/2014 OF
ELAMAKKARA POLICE STATION.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/30/11/15

B.KEMAL PASHA, J.

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Crl.M.C. No. 7262 of 2015

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Dated this the 30th day of November, 2015

ORDER

Petitioners are accused in C.C. No.838 of 2014 of the Judicial First Class Magistrate's Court-II, Aluva, which has arisen from Crime No.161 of 2014 of the Elamakkara Police Station, registered for the offences punishable under Sections 452 and 427 of the Indian Penal Code read with Section 34 IPC.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the 2nd respondent herein. The defacto complainant has filed an affidavit affirming that the matter has been amicably settled between him and the petitioners and he has 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.838 of 2014 pending before the Judicial First Class Magistrate's Court-II, Aluva, as against the petitioners, based on Annexure-A3 Final Report in Crime No.161 of 2014 of the Elamakkara Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C. No.838 of 2014 pending before the Judicial First Class Magistrate's Court-II, Aluva, as against the petitioners, based on Annexure-A3 Final Report in Crime No.161 of 2014 of the Elamakkara Police Station, are hereby quashed.

Sd/-

B. KEMAL PASHA
JUDGE

DSV/30/11/15

// True Copy //

P.A. To Judge