

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Crl.MC.No. 7288 of 2015

C.P.NO.34/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II,
THAMARASSERY

CRIME NO. 653/2014 OF MUKKAM POLICE STATION , KOZHIKODE

PETITIONER(S)/ACCUSED :

1. NIYAS, AGED 22 YEARS,
S/O.UMMER, PILASSERY HOUSE, KALLANTHODU,
KANDIYIL, NIT P.O., KOZHIKODE DISTRICT.
2. HIDAYATHULLA K., AGED 22 YEARS,
S/O.MUHAMMED, KANDIYIL HOUSE, KALLANTHODU,
NIT P.O., KOZHIKODE DISTRICT.
3. MUHAMMED FAIJAS M., AGED 21 YEARS,
S/O.ABDU RAHIM, MUPPANAKKAL HOUSE, KALLANTHODU,
NIT P.O., KOZHIKODE DISTRICT.
4. MUHAMMED FARIS M., AGED 23 YEARS,
S/O.ABDUL RAHIM, MUPPANAKKAL HOUSE, KALLANTHODU,
NIT P.O., KOZHIKODE DISTRICT.
5. THASLEEM A.K., AGED 20 YEARS,
S/O.UMMER, AMBALAKANDI HOUSE, POOLAKKODU AMSOM,
KALLANTHODU, NIT P.O., KOZHIKODE DISTRICT.
6. ABDUL LATHEEF N.P., AGED 28 YEARS,
S/O.SAID, THATHAMMAPARAMBIL HOUSE, POOLAKKODU AMSOM,
NIT P.O., KOZHIKODE DISTRICT.
7. ANAS, AGED 22 YEARS,
S/O.AZEEZ, THATHAMMAPARAMBIL HOUSE, POOLAKKODU AMSOM,
NIT P.O., KOZHIKODE DISTRICT.
8. RAFEEQUE T.A, AGED 20 YEARS,
S/O.ABDUL SHUKOOR, PARATHAPOYIL HOUSE,
POOLAKKODU AMSOM, NAYARKUZHI, NIT P.O.,
KOZHIKODE DISTRICT.

Crl.MC.No. 7288 of 2015

9. NAVAS M., AGED 26 YEARS,
S/O.HUSSANKUTTY, 'SUMNA', MUDAPANAKKAL HOUSE,
KALLANTHODU, POOLAKKODU AMSOM, NIT P.O.,
KOZHIKODE DISTRICT.

BY ADV. SRI.C.M.MOHAMMED IQUABAL

RESPONDENT(S)/STATE & COMPLAINANT :

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 31.
2. DULFIK, AGED 21 YEARS,
S/O.BASHEER, KADAMBIL POOZHITHARAMMAL HOUSE, TIRUR,
POST THRIPRANGOTTU, MALAPPURAM DISTRICT, PIN- 676 108.
3. MUHAMMED FAZIL C.V, AGED 21 YEARS,
S/O.YOUSUF, NELLIKKUNNMAL HOUSE, POST NANMANDA,
KOZHIKODE DISTRICT , PIN- 673 613.
4. RIYAS ABDUL SALAM, AGED 22 YEARS,
S/O.ABDUL SALAM, PURAKKATTIL HOUSE, KOCHANNOOR P.O.,
VADAKKEKADU, THRISSUR DISTRICT, PIN- 679 562.
5. AKHIL T.P, AGED 22 YEARS,
S/O.SADANANDAN, NANDANAM HOUSE, POST PAYYOLI,
IRINGATH, KOZHIKKALLOOR VILLAGE,
KOZHIKODE DISTRICT - 673 522.
6. ARSHAD T.P, AGED 22 YEARS,
S/O.ABDUL MAJEED, THUMBOM PARAMBIL HOUSE,
PUTHUPPADI VILLAGE, WEST PUTHUPPADI,
KOZHIKODE DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 TO R6 BY ADV. SMT.ANJALI G.KRISHNAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- A1: THE TRUE COPY OF THE FIR IN CRIME NO. 653/14 OF MUKKAM POLICE DATED 31.10.2014.**
- A2: THE TRUE COPY OF THE FINAL REPORT IN CRIME NO. 653/14 OF MUKKAM POLICE STATION DATED 03.02.2015.**
- A3: THE TRUE COPY OF THE MEMORANDUM OF EVIDENCE IN CRIME NO. 653/14 OF MUKKAM POLICE STATION DATED 03.02.2015.**
- A4: THE TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT DATED 19.09.2015.**
- A5: THE TRUE COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT DATED 19.09.2015.**
- A6: THE TRUE COPY OF THE AFFIDAVIT OF THE 4TH RESPONDENT DATED 19.09.2015.**
- A7: THE TRUE COPY OF THE AFFIDAVIT OF THE 5TH RESPONDENT DATED 19.09.2015.**
- A8: THE TRUE COPY OF THE AFFIDAVIT OF THE 6TH RESPONDENT DATED 19.09.2015.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

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Crl.M.C. No. 7288 of 2015

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Dated this the 25th day of November, 2015

ORDER

The petitioners are the accused in Crime No.653/2014 of the Mukkam Police Station, Kozhikode, registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 IPC read with Section 149 IPC.

2. On going through the matter, this Court is satisfied that there are no ingredients to invite an offence under Section 308 IPC in the matter. It seems that the matter has been amicably settled between the parties. The defacto complainant, who is the 2nd respondent and four other injured have filed separate affidavits as Annexures – A4 to A8 affirming that the matter has been amicably settled between them and the petitioners and they have no complaints against the petitioners. When the matter has been amicably settled between the parties, no

purpose would be served in proceeding with the matter any further. Matters being so, all further proceedings in Annexure-A1 First Information Report in Crime No.653/2014 of the Mukkam Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in Annexure-A1 First Information Report in Crime No.653/2014 of the Mukkam Police Station, are hereby quashed.

SD/- B. KEMAL PASHA, JUDGE.

Stu/25/11/2015.

// true copy //

P.A. to Judge.