

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Crl.MC.No. 7290 of 2015 ()

**SC. NO.590/2014 OF ADDITIONAL DISTRICT & SESSIONS COURT - II, KASARAGOD.
CRIME NO. 750/2011 OF HOSDURG POLICE STATION.**
.....

PETITIONER/ACCUSED:

**SALAM C.H., AGED 28 YEARS,
S/O.YOUSEF, CHERAKADATH HOUSE,
BADARIYA NAGAR, HOSDURG BEACH,
P.O. KANHANGAD, KASARAGOD DISTRICT.**

BY ADV. SRI.K.P.HARISH.

RESPONDENTS/STATE & DEFACTO COMPLAINANT/INJURED (CW1):

**1. STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
HOSDURG POLICE STATION, (CRIME NO.750/2011),
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**2. SUNESH. P., AGED 28 YEARS,
S/O.SURENDRAN, R/AT PUTHIYAVALLAPPU HOUSE,
HOSDURG KODAPPURAM, P.O. KANHANGAD,
HOSDURG VILLAGE OF HOSDURG TALUK,
KASARAGOD DISTRICT-671 315.**

R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

R2 BY ADV. SRI.M.T.SURESHKUMAR

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1 COPY OF THE FIR AND FI STATEMENT DATED 08/07/2011
IN CRIME NO.750/2011 OF HOSDURG POLICE STATION.**
- ANNEXURE A2 COPY OF THE FINAL REPORT DATED 24/09/2011 IN
CRIME NO.750/2011 AS NUMBERED AS CP NO.131/2011 OF 2014
ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
HOSDURG.**
- ANNEXURE A3 COPY OF THE AFFIDAVIT DATED 03/11/2015 OF THE
2ND RESPONDENT/DEFACTO COMPLAINANT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Crl.M.C. No.7290 of 2015
.....

Dated this the 19th day of November, 2015

ORDER

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Petitioner is the accused in S.C. No.590/2014 of the Additional District and Sessions Court-II, Kasaragod, which has arisen from Crime No.750/2011 of Hosdurg Police Station, for the offences punishable under Sections 143, 147, 148, 341, 324 and 308 read with Section 149 IPC.

2. It seems that the matter has been amicably settled between the parties.

3. 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. The 2nd respondent, who is the defacto complainant, has filed Annexure-A3 affidavit affirming that the matter has been amicably settled between him and the petitioner and he has no complaints against the petitioner.

4. 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 against the petitioner in S.C. No.590/2014 of the Additional District and Sessions Court-II, Kasaragod, which has arisen from Crime No.750/2011 of Hosdurg Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioner in S.C. No.590/2014 of the Additional District and Sessions Court-II, Kasaragod, which has arisen from Crime No.750/2011 of Hosdurg Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/19/11

// True Copy //

PA to Judge