

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Cr1.MC.No. 7352 of 2015 ()

CRIME NO. 488/2011 OF PAZHAYANGADI POLICE STATION, KANNUR

PETITIONERS/ACCUSED NOS. 1 AND 3:

1. ABDUL HAMEED U.V., AGED 23 YEARS,
S/O.ABDUL KADER, USSAINEVALAPPIL HOUSE, MATTOOL NORTH,
KANNUR DISTRICT.

2. MASOOD V., AGED 23 YEARS,
S/O.MAHAMOOD, VADAKKERAMMEL HOUSE, KUNHIMANGALAM,
KANNUR DISTRICT.

BY ADVS.SRI.TITUS MANI
SRI.P.A.JACOB
SRI.BINNY THOMAS

RESPONDENTS/COMPLAINANT/DEFACTO COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.

2. NIPIN K.R., AGED 20 YEARS,
S/O.BABU KOILARIAN , KOILARIAN HOUSE, MATTOOL,
KANNUR DISTRICT-670 302.

R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 BY ADV. SRI.JOHNSON K.KURIEN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Cr1.MC.No. 7352 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE A1 : COPY OF FIRST INFORMATION REPORT DT 8-10-2011
IN CRIME NO.488/2011 PAZHAYANGADI POLICE STATION.

ANNEXURE A2 : COPY OF THE FINAL REPORT DT 25-11-2011 IN CRIME
NO.488/2011.

ANNEXURE A3 : ORIGINAL AFFIDAVIT FILED BY THE 2ND RESPONDENT.

RESPONDENTS' ANNEXURES :

NIL

// True Copy //

P.S. To Judge

DSV/5/12/15

B. KEMAL PASHA, J.

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CRL.M.C. No.7352 of 2015
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Dated this the 3rd day of December, 2015

ORDER

Petitioners are A1 and A3 in Crime No.488/2011 of the Pazhayangadi Police Station, Kannur, registered for the offences punishable under Sections 143, 147, 341 and 323 read with Section 149 of the Indian Penal Code and Section 4 of Kerala Prohibition of Ragging Act, 1998.

2. Final Report has been filed in the matter for the offences under Sections 341 and 323 read with Section 34 IPC alone. The offences are compoundable. The other accused in the case are absconding. The case against these two petitioners has been split up and presently Final Report has been filed against these two petitioners only. The case against the

petitioners is presently pending as S.C.No.173/2014 before the Additional Sessions Court(Adhoc-I), Thalassery.

3. It seems that the matter has been amicably settled between the parties. 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 petitioners and he has no complaints against the petitioners.

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 in S.C.No.173/2014 of the Additional Sessions Court(Adhoc-I), Thalassery which has arisen from Crime No.488/11 of the Pazhayangadi Police Station, Kannur based on Annexure-A1 First Information Report, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in S.C.No.173/2014 of the Additional Sessions Court(Adhoc-I), Thalassery, which has arisen from Crime

Crl.M.C. No. 7352 of 2015

-:3:-

No.488/11 of the Pazhayangadi Police Station, Kannur based on Annexure-A1 First Information Report, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge