

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Crl.MC.No. 7389 of 2015 ()

CRIME NO. 503/2013 OF NOORNADU POLICE STATION, ALAPPUZHA DISTRICT.
SC. NO.352/2014 OF SESSIONS COURT, ALAPPUZHA.

PETITIONERS/A1 TO 3:

- 1. HASHIR, AGED 25 YEARS,
S/O.BASHEER, KUTTIPARAMBIL VEEDU,
PALAMEL VILLAGE, AADIKKATTUKULANGARA,
NOORANADU.**
- 2. ASHIK, AGED 24 YEARS,
S/O.BASHEER, -DO-.**
- 3. HASHEERA, AGED 20 YEARS,
S/O.HAMSA, MULAMKUTTIYIL VEEDU,
AADIKKATTUKULANGARA, PALAMEL,
NOORANADU.**

**BY ADVS.SRI.R.SUNIL KUMAR,
SMT.A.SALINI LAL.**

RESPONDENT/COMPLAINANT/CW-1, 2, 3:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. MOIDEEN KANNARAWTHER, AGED 50 YEARS,
S/O.HAMEED RAWTHER, KUTTIPARAMBIL VEETIL,
AADIKKATTUKULANGARA, PALAMEL, PIN-688 001.**
- 3. ANSHAD, AGED 18 YEARS,
S/O.MOIDEEN KANNURAWTHER,
KUTTIPARAMBIL VEETIL,
AADIKKATTUKULANGARA,
PALAMEL VILLAGE, PIN-688 001.**

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**4. SHEHAR BAN, AGED 44 YEARS,
W/O.MOIDEEN KANNURAWTHER, KUTTIPARAMBIL JAMAL,
AADIKKATTUKULANGARA, PALAMEL, PIN-688 001.**

**R1 BY PUBLIC PROSECUTOR SMT.P. MAYA.
R2 TO R4 BY ADV. SMT.T.M.BINITHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE 1 COPY OF THE FINAL REPORT.

ANNEXURE 2 AFFIDAVIT FILED BY THE 2ND, 3RD & 4TH RESPONDENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
CRL.M.C. No.7389 of 2015
.....

Dated this the 14th day of December, 2015

ORDER

Petitioners are accused Nos. 1 to 3 in Crime No.503/2013 of the Noornadu Police Station, Alappuzha registered for the offence punishable under Sections 447, 341 and 323 read with Section 34 of the Indian Penal Code. The case against the 1st accused was split up and is pending as C.P.No.44/2015 before the Judicial First Class Magistrate's Court-II, Mavelikkara and the case against accused Nos.2 and 3 was pending as S.C. No.352/2014 before the Sessions Court, Alappuzha. It seems that the matter has been amicably settled between the parties.

2. The defacto complainant and the other injured in the case, who are respondents 2, 3 and 4, have filed

separate affidavits as Annexure 2 affirming that the matter has been amicably settled between them and the petitioners and they have no complaints against the petitioners. Matters being so, no purpose would be served in proceeding with the matter further. Therefore, this Court is of the view that all further proceedings in Annexure 1 final report in Crime No.503/13 of the Noornadu Police Station which is now pending as C.P.No.44/2015 of the Judicial First Class Magistrate's Court-II, Mavelikkara, against the 1st petitioner and S.C.No.352/14 pending before the Sessions Court, Alappuzha, against 2nd and 3rd petitioners, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in Annexure 1 final report in Crime No.503/13 of the Noornadu Police Station, which is now pending as C.P.No.44/2015 of the Judicial First Class Magistrate's Court-II, Mavelikkara, against the 1st petitioner and S.C.No.352/14 pending before the Sessions Court,

Alappuzha, against 2nd and 3rd petitioners, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge