

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Crl.MC.No. 7417 of 2015

CC 1153/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II,HOSDRUG.

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PETITIONER/ACCUSED NO.2:

**KUTTY @ ABDULRAHIMAN, AGED 30 YEARS,
S/O.KAREEM @ POOCHAKKAD KAREEM,
R/AT PERIYA PETROL PUMP, PERIYA,
PERIYA VILLAGE, PULLOOR PERIYA PANCHAYAT,
KASARAGOD DISTRICT.**

BY ADV. SRI.K.P.HARISH

RESPONDENT(S)/STATE, DEFACTO COMPLAINANT & WITNESS (CWS.1 & 2):

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- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
 - 2. K.B.BEEVI @ K.B.BEEFATHIMA, AGED 48 YEARS,
W/O.ABDUL KHADER, R/AT K.B.M. HOUSE, KUNIYA,
PERIYA P.O., PERIYA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT - 671 316.**
 - 3. NAHEEMA B.M., AGED 26 YEARS,
W/O.FAIZAL, R/AT POOCHAKKAD HOUSE,
MUKKODU P.O., KEEKAN VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT 671 313.**

**R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 & R3 BY ADV. SRI.M.T.SURESHKUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1:** THE TRUE COPY OF THE FINAL REPORT DATED 16/1/2010 IN C.C NO.149 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDURG OF 2010 IN CRIME NO.361/2009 OF BEKAL POLICE STATION.
- ANNEXURE A2:** A TRUE COPY OF THE JUDGMENT DATED 27/11/2012 IN C.C NO.149 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDURG.
- ANNEXURE A3:** A TRUE COPY OF THE JUDGMENT DATED 21/11/2013 IN CRL.M.C NO.5450 OF 2013 OF THIS HON'BLE COURT.
- ANNEXURE A4:** A TRUE COPY OF THE ORDER DATED 18/3/2014 IN CRL.M.C NO.1546/2014 OF THIS HON'BLE COURT.
- ANNEXURE A5:** A TRUE COPY OF THE JUDGMENT DATED 8/6/2015 IN C.C NO.1338/2012 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDURG.
- ANNEXURE A5(A):** TRUE COPY OF THE DOCKET SHEET IN CC. NO.1153/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDURG.
- ANNEXURE A6:** THE ORIGINAL AFFIDAVIT DATED 6/11/2015 SIGNED BEFORE AN ADVOCATE NOTARY BY THE RESPONDENT NO.2.
- ANNEXURE A6(A):** THE ORIGINAL AFFIDAVIT DATED 6/11/2015 SIGNED BEFORE AN ADVOCATE NOTARY BY THE RESPONDENT NO.3.

RESPONDENT(S)' ANNEXURES: NIL

//TRUE COPY//

P.S. TO JUDGE

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B. KEMAL PASHA, J.

.....
CRL.M.C. No. 7417 of 2015
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Dated this the 10th day of December, 2015

ORDER

Petitioner is the accused in C.C. No.1153/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.361/2009 of the Bekal Police Station, Kasaragod District, registered for the offences punishable under Sections 143, 147, 148, 341, 324, 452, 427 and 506(ii) read with Section 149 IPC.

2. The matter has been amicably settled between the petitioner and the defacto complainant and the other affected person, who are respondents 2 and 3 herein. Respondents 2 and 3 have filed separate affidavits as Annexures - 6 and 6(a) affirming that the matter has been amicably settled between them and the petitioner and they

have no complaints against the petitioner.

3. No criminal antecedents have been reported against the petitioner. 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.1153/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, as against the petitioner, based on Annexure-A1 Final Report, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C. No.1153/2015 of the Judicial First Class Magistrate's Court-II, Hosdurg, as against the petitioner, based on Annexure-A1 Final Report, are hereby quashed.

Sd/- B. KEMAL PASHA, JUDGE.

Stu/11.12.2015.

//true copy//

P.S. to Judge.