

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. 7418 of 2015

**CC 420/2015 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ERNAKULAM.
CRIME NO. 282/2015 OF ERNAKULAM CENTRAL POLICE STATION, ERNAKULAM.**
.....

PETITIONER/ACCUSED:

**IBRAHIM, S/O.MAYIN HAJI,
SAFIYA MANZIL, PANOOR,
KANNUR, NOW WORKING AS CASHIER,
FOOT WEAR AGENCIES, BOADWAY, ERNAKULAM.**

BY ADV. SRI.P.K.ABOOBACKER(EDAPPALLY)

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM, PIN-682 031.**
- 3. SALIM, S/O.BEERASA, ALUNKAL HOUSE,
PAMPAYI MOOLA, SINGH ROAD, EDAKKOCHI, PIN-682 006.**

**R1 & R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R3 BY ADV. SRI.V.M.MUHAMMED SHERIF**

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

mbr/

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE-A1.** **THE TRUE PHOTOCOPY OF THE FIRST INFORMATION REPORT DATED 17/2/2014 IN CRIME NO.420/2014 OF THE CNETRAL POLICE STATION, ERNAKULAM.**
- ANNEXURE-A2.** **CERTIFIED COPY OF THE FINAL CHARGE DATED 1/7/2014 IN CC NO.420/2014 ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ERNAKULAM.**
- ANNEXURE-A3.** **THE TRUE PHOTOCOPY OF THE AGREEMENT DATED 18/2/2014 EXECUTED BETWEEN CW1 AND THE OWNER OF THE SHOP.**
- ANNEXURE-A4.** **TRUE PHOTOCOPY OF THE NOTICE DATED 2/9/2015 ISSUED FROM THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II-II, ERNAKULAM.**
- ANNEXURE-A5.** **AFFIDAVIT DATED 23/11/2015 SWORN BY THE 3RD RESPONDENT.**

RESPONDENT(S)' ANNEXURES: **NIL**

//TRUE COPY//

P.S. TO JUDGE

mbr/

B.KEMAL PASHA, J.

=====

Crl.M.C. No.7418 of 2015

=====

Dated this the 10th day of December, 2015

ORDER

Petitioner is the accused in C.C.No.420 of 2015 of the Judicial First Class Magistrate's Court-II, Ernakulam, which has arisen from Crime No.282 of 2015 of the Central Police Station, Ernakulam, registered for the offences punishable under Sections 341, 323 and 324 read with Section 34 of the Indian Penal Code.

2. The matter has been amicably settled between the petitioner and the defacto complainant, who is the 3rd respondent herein. The defacto complainant has filed Annexure-A5 affidavit affirming that the matter has been amicably settled between him and the petitioner and he has 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.420 of 2015 pending before the Judicial First Class Magistrate's Court-II, Ernakulam, as against the petitioner, based on Annexure-A2 Final Report in Crime No.282 of 2015 of the Central Police Station, Ernakulam, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.No.420 of 2015 pending before the Judicial First Class Magistrate's Court-II, Ernakulam, as against the petitioner, based on Annexure-A2 Final Report in Crime No.282 of 2015 of the Central Police Station, Ernakulam, are hereby quashed.

**Sd/- B.KEMAL PASHA
JUDGE**

DSV/16/12/15

// true copy //

P.A. to Judge.