

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Crl.MC.No. 7488 of 2015 ()

**CC.NO. 424/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT.,KASARAGOD
CRIME NO. 12/2008 OF ADHUR POLICE STATION , KASARGOD DISTRICT**

PETITIONER/1ST ACCUSED:

**HAMSA, AGED 30 YEARS,
S/O.BELLIPADY ABDULLA MUSALIYAR,
BELLIPADY, ADHUR (P.O).,
KASARAGOD TALUK, KASARAGOD.**

BY ADV. SRI.P.V.ANOOP

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. SAVAD A.K., AGED 27 YEARS,
S/O.ABDUL KADER HAJI, KOTTACHAL HOUSE, ADHUR (P.O),
KASARAGOD TALUK, KASARAGOD, PIN: 671 543.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI 682 031.**

**R1 BY ADV. SRI.P.V.KUNHIKRISHNAN
R2 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

CRL.MC.NO.7488/2015

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEX A** **COPY OF THE FIR IN CRIME NO.12/2008 OF ADHUR POLICE.**
- ANNEX B** **COPY OF THE FINAL REPORT DATED 26/02/2008 WHICH IS NOW
PENDING AS C.C.NO.424/2012 ON THE FILE OF THE JUDICIAL FIRST
CLASS MAGISTRATE COURT, KASARAGOD**
- ANNEX C** **COPY OF THE AFFIDAVIT FILED BY THE FIRST RESPONDENT DATED
20/10/2015.**

RESPONDENT'S ANNEXURES: **NIL**

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

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CRL.M.C. No. 7488 of 2015
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Dated this the 16th day of December, 2015

ORDER

Originally, there were five accused in the crime including the petitioner who was the first accused. The final report was filed and the matter was taken into file as C.C.No.500/2008 before the court below. As the petitioner was absconding, the case against him was split up and the trial was proceeded against A2 to A5, which culminated in acquittal. The case against the petitioner is presently pending as C.C.No.424/2012.

2. It seems that the matter has been amicably settled between the parties. The second respondent herein, who is the defacto complainant, has filed Annexure C

affidavit affirming that the matter has been amicably settled between him and the petitioner and he has no complaints against the petitioner. 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, Annexure A First Information Report in Crime No.12/2008 of the Adhur Police Station, and all further proceedings in it in C.C.No.424/2012 as against the petitioner, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure A First Information Report in Crime No.12/2008 of the Adhur Police Station, and all further proceedings in it in C.C.No.424/2012 as against the petitioner, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge