

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. 7563 of 2015

CRIME NO. 816/2015 OF KOTTAKKAL POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED:

1. MUHAMMED SHAMEER, AGED 23 YEARS,
S/O SAIDALAVI, KOLAKKADAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.
2. SHAFEEQUE, AGED 32 YEARS,
S/O SAIDALAVI, KOLAKKADAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.
3. RAFEEQUE, AGED 29 YEARS,
S/O HUSSAIN, KOLAKKADAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.
4. HAMZA,
S/O KUTTIALI HAJI, KOLAKKADAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.
5. HUSSAIN, AGED 24 YEARS,
S/O AVARAN, THEKKINIYAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT.
6. JAFFER, AGED 26 YEARS,
KARIMBANAKKAL HOSUE, KOTTAKKAL, MALAPPURAM DISTRICT.

**BY ADVS.SRI.BABU S. NAIR
SRI.R.RANJITH**

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT AND INJURED:

1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682 031 - FOR THE SUB INSPECTOR OF POLICE,
KOTTAKKAL POLICE STATION, MALAPPURAM DISTRICT.

Msv/

Crl.MC.No. 7563 of 2015

2. **SUNEERALI @ KUNHUTTY, AGED 27 YEARS,
S/O AHAMMED, ARIKKANCHOLA HOSUE, EDARIKKODE P.O.,
MALAPPURAM DISTRICT, PIN:676 501.**
3. **MUHAMMED FARIS, AGED 23 YEARS,
S/O ABDU RAHIMAN, THANIVEPPIL HOSUE, KOZHICHENA,
KOTTAKKAL, MALAPPURAM DISTRICT, PIN:676 503.**
4. **LATHEEF, AGED 27 YEARS,
S/O KUNHEEN, ALAMBADAN HOUSE, KOTTAKKAL,
MALAPPURAM DISTRICT, PIN:676 503.**
5. **JASIR, AGED 25 YEARS,
S/O MOOSAKUTTY, KARIMKAPARA HOUSE, OTHUKKUNGAL P.O.,
KOTTAKKAL, MALAPPURAM DISTRICT, PIN:676 528.**
6. **ARIF P.M., AGED 25 YEARS,
S/O USMAN, PALLIMALIL HOUSE, PUTHUR P.O.,
KOTTAKKAL, MALAPPURAM DISTRICT, PIN:676 503.**

**R1 BY PUBLIC PROSECUTOR SMT.P.MAYA
R2-R6 BY ADV. SMT.M.LISHA**

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

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A: TRUE COPY OF THE F.I.R IN CRIME NO.804/2015 OF THE KOTTAKKAL
POLICE STATION DATED 14.8.2015.**

**ANNEXURE B: TRUE COPY OF THE AFFIDAVIT DATED 30.9.2015 SWORN TO BY THE
2ND RESPONDENT.**

**ANNEXURE C: TRUE COPY OF THE AFFIDAVIT DATED 30.9.2015 SWORN TO BY THE
3RD RESPONDENT.**

**ANNEXURE D: TRUE COPY OF THE AFFIDAVIT DATED 30.9.2015 SWORN TO BY THE
4TH RESPONDENT.**

**ANNEXURE E: TRUE COPY OF THE AFFIDAVIT DATED 30.9.2015 SWORN TO BY THE
5TH RESPONDENT.**

**ANNEXURE F: TRUE COPY OF THE AFFIDAVIT DATED 30.9.2015 SWORN TO BY THE
6TH RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.A.TO JUDGE.

B.KEMAL PASHA, J.

=====

Crl.M.C. No.7563 of 2015

=====

Dated this the 14th day of December, 2015

ORDER

Petitioners are accused in Crime No.816 of 2015 of the Kottakkal Police Station, Malappuram, registered for the offences punishable under Sections 341, 324, 143 147, 148, 323 and 506(i) read with Section 149 of the Indian Penal Code.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the 2nd respondent herein and the other injured persons, who are respondents 3 to 6 herein. The defacto complainant and the other injured persons have filed Annexures-B, C, D, E and F affidavits, affirming that the matter has been amicably settled between them and the petitioners and they have no complaints against the petitioners.

3. No criminal antecedents have been reported against the petitioners. When the matter has been amicably

settled, no purpose would be served in proceeding with the matter further, and therefore, Annexure-A First Information Report in Crime No.816 of 2015 of the Kottakkal Police Station, Malappuram, and all further proceedings as against the petitioners based on it, can be quashed.

In the result, this CrI.M.C. is allowed and Annexure-A First Information Report in Crime No.816 of 2015 of the Kottakkal Police Station, Malappuram, and all further proceedings as against the petitioners based on it, are hereby quashed.

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

DSV/16/12/15

// true copy //

P.S. to Judge.