

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. 7572 of 2015

**C.C.NO.1802/2015(C.C.NO.262/2015) OF THE JUDICIAL FIRST CLASS (TEMP)
MAGISTRATE COURT, SOUTH PARAVOOR, KOLLAM DISTRICT**

CRIME NO. 1544/2014 OF CHATHANOR POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/3RD ACCUSED :

**AKHIL KUMAR @ AKHIL, AGED 24 YEARS,
S/O.UDAYAKUMAR, RESIDING AT RAMA BHAVAN, KARAMKODU,
CHATHANOR, KOLLAM DISTRICT.**

BY ADV. SRI.V.A.AJIVAS

RESPONDENT(S)/COMPLAINANTS :

- 1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
CHATHANOR POLICE STATION, KOLLAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. FAIZAL, AGED 22 YEARS,
S/O.ABDUL MANAF, RESIDING AT DARUL HABEEB HOUSE,
KATTU PUTHUZERRY, PANGODE,
THIRUVANANTHAPURAM DISTRICT-695 609.**
- 3. FAIZAL, AGED 21 YEARS,
S/O.FATHAFUDEEN, RESIDING AT FEBIN VILLA,
PANGODU VILLAGE, THIRUVANANTHAPURAM DISTRICT-695 609.**

**R1 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R2 & R3 BY ADV. SRI.G.SANTHOSH KUMAR (P).**

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

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE I: THE CERTIFIED COPY OF THE FINAL REPORT IN
CRIME NO:1544/2014 OF CHATHANOOR POLICE STATION IN
KOLLAM DISTRICT PENDING AS C.C.NO.1802/2015
(C.C.NO.262/2015) ON THE FILE OF THE JUDICIAL FIRST
CLASS (TEMP) MAGISTRATE COURT, SOUTH PARAVOOR,
KOLLAM DISTRICT.**

**ANNEXURE II: THE TRUE COPY OF THE AFFIDAVIT FILED BY THE 2ND AND
3RD RESPONDENTS.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

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Crl.M.C. No.7572 of 2015

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Dated this the 10th day of December, 2015

ORDER

Petitioner is the accused in C.C.No.1802 of 2015 of the Judicial First Class Magistrate's Court, South Paravoor, Kollam which has arisen from Crime No.1544 of 2014 of the Chathanoor Police Station, Kollam, registered for the offences punishable under Sections 341 and 323 read with Section 34 of the Indian Penal Code.

2. After investigation, a Final Report was filed and the matter was taken cognizance of by the Judicial First Class Magistrate's Court, South Paravoor, Kollam, as C.C.No.262 of 2015. In the said case, all other accused, except the petitioner, faced trial and they were acquitted by the learned Magistrate. The case against the petitioner is split up and re-filed as C.C.No.1802 of 2015.

3. The matter has been amicably settled between the petitioner and the defacto complainant, who is the 1st respondent herein and the other injured person, who is the 2nd respondent herein. The defacto complainant and the other injured person have filed Annexure-II affidavit affirming that the matter has been amicably settled between them and the petitioner and they have no complaints against the petitioner.

4. 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.1802 of 2015 pending before the Judicial First Class Magistrate's Court, South Paravoor, Kollam, as against the petitioner, based on Annexure-I Final Report in Crime No.1544 of 2014 of the Chathanoor Police Station, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C.No.1802 of 2015 pending before the Judicial First Class Magistrate's Court, South Paravoor, Kollam, as against the petitioner, based on Annexure-I Final

Report in Crime No.1544 of 2014 of the Chathanoor Police Station, are hereby quashed.

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

DSV/16/12/15

// true copy //

P.A. to Judge.