

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE PUBAID

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

CrI.MC.No. 7580 of 2015

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CC 935/2015 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, TRIVANDRUM
CRIME NO. 606/2014 OF SREEKARIYAM POLICE STATION
THIRUVANANTHAPURAM
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PETITIONER/ACCUSED 1 TO 3:

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- 1. RAJEEV, AGED 36 YEARS
S/O. RADHAKRISHNAN,
SARASWATHY VILASOM,
KALLAMPALLY
EDAVAKODU.**
 - 2. MOHANAN, AGED 53 YEARS
S/O. VELAYUDHAN, SUNITHA BHAVAN,
KALLAMPALLY
SREEKARIYAM,
THIRUVANANTHAPURAM.**
 - 3. ANOOP, AGED 36 YEARS
S/O. REGHUNATHAN, THRIKKETTA, KARIYAM
SREEKARIYAM, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.P.A.AHAMMED
SRI.THOUFEEK AHAMED**

RESPONDENTS/STATE & DEFACTO COMPLAINANT:

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- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM-682 031.**
 - 2. VRINDARANI
SATHI BHAVAN,
NJALIKONAM,
THRIKKANNAPURAM.**

R1 BY PUBLIC PROSECUTOR SMT. SHEEBA M.T.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
03-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' ANNEXURES:-

- ANNEXURE A :** CERTIFIED COPY OF FINAL REPORT DTD.10.11.14 IN CRIME NO.606/2014 OF SREEKARYAM POLICE STATION.
- ANNEXURE B :** CERTIFIED COPY OF FIR IN CRIME NO.606/14 OF SREEKARYAM POLICE STATION, DTD.1.6.2014.
- ANNEXURE C :** COPY OF PLAINT IN OS NO.117/2014 ON THE FILE OF THE PRINCIPAL SUB COURT, THIRUVANANTHAPURAM, DTD.11.6.2014 FILED BY THE 2ND RESPONDENT.
- ANNEXURE D :** COPY OF AGREEMENT ENTERED INTO BETWEEN PETITIONERS AND 2ND RESPONDENT DTD. 5.11.2014.
- ANNEXURE E :** COPY OF COMPROMISE PETITION, IA NO.4120/14 IN OS NO.117/2014 ON THE FILE OF PRINCIPAL SUB COURT, THIRUVANANTHAPURAM, DTD.5.11.2014 FILED BY THE 1ST PETITIONER AND 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

P. UBAID, J.

Crl.M.C. No.7580 of 2015

Dated this the 03rd day of December, 2015

O R D E R

The petitioners herein who are the three accused in C.C. No. 935/2015 of the Judicial First Class Magistrate Court - I, Thiruvananthapuram seek orders quashing the prosecution on the ground of amicable settlement made out of court. What is practically reported is composition under the law. The offence under Section 420 of IPC is well compoundable under the law. The parties can very well approach the learned Magistrate and file a composition before the trial court. It is not known, why the parties have approached this Court under Section 482 of Criminal Procedure Code when the normal and practical course of composition is possible before the learned magistrate.

With these observations, that the parties can very well approach the learned Magistrate for composition, this Crl. M.C. is closed.

P. UBAID, JUDGE

DCS

