

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Crl.MC.No. 7623 of 2015 ()

**CC 3661/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, KASARAGOD
CRIME NO. 108/2013 OF ADHUR POLICE STATION, KASARGOD**

PETITIONERS/ACCUSED NO.1 TO 3 :

- 1. MUHAMMED ABHINAS. T., AGED 23 YEARS,
S/O.ABDULKHADER, ABHINAS COTTAGE, ANANKUR
KASARAGOD DISTRICT.**
- 2. MUHAMMED MIGDAD ABOOBACKER, AGED 23 YEARS,
S/O.SALIM MUHEEYUDIN, ARAAVATH HOUSE
KUTTIKKATUL GRAMOM, KOZHIKODE DISTRICT.**
- 3. NISSAMUDEEN, AGED 25 YEARS,
S/O.ABBAS K.A, BIYAVALLAPPIL HOUSE, KALANADU,
KALANADU GRAMOM, KASARAGOD DISTRICT.**

BY ADV. SRI.I.V.PRAMOD

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.682 031.**
- 2. ABDUL LABEEB B, AGED 22 YEARS,
S/O. SHERIFF, BOOD HOUSE, PATLA,
PATTLA GRAMOM, KASARAGOD TALUK & DISTRICT.671 143.**

**R1 BY PUBLIC PROSECUTOR SMT. P. MAYA
R2 BY SRI.B.VINOD**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

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APPENDIX

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| ANNEXURE A1- | A TRUE COPY OF THE FINAL REPORT IN CRIME NO.108/2013 DATED 28.4.2013 OF ADHUR POLICE STATION. |
| ANNEXURE A2- | THE AFFIDAVIT DATED 4.9.2015 SWORN BY THE 2ND RESPONDENT. |
| ANNEXURE A3- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.4634/2013 DATED 9.10.2013. |
| ANNEXURE A4- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.4634/2013 DATED 18.9.2013. |
| ANNEXURE A5- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.893/2014 DATED 24.1.2014. |
| ANNEXURE A6- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.914/2014 DATED 24.1.2014. |
| ANNEXURE A7- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.915/2014 DATED 24.1.2014. |
| ANNEXURE A8- | A TRUE COPY OF THE ORDER IN CRL.M.C.NO.7430/2014 DATED 30.12.2014. |
| ANNEXURE A9- | COPY OF THE ORDER IN CRL.M.C. NO. 4483/2013 DT 9/10/2013. OF THIS HONOURABLE COURT. |
| ANNEXURE A10- | COPY OF THE ORDER IN CRL.M.C. NO. 7077/2015 DT 17/11/2015 OF THIS HONOURABLE COURT. |

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

B. KEMAL PASHA, J.

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Crl.M.C. No.7623 of 2015
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Dated this the 15th day of December, 2015

ORDER

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Petitioners are the accused in CC No.3661/2013 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.108/2013 of Adhur Police Station for the offences punishable under Sections 342, 323 and 506(ii) read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the de facto complainant, who is the 2nd respondent herein.

3. The 2nd respondent has filed Annexure-A2 affidavit affirming that the matter has been amicably settled between him and the petitioners and presently, he has no complaints against the petitioners. The injuries sustained to the de facto complainant are trivial. No purpose would be

served in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in CC No.3661/2013 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.108/2013 of Adhur Police Station, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings against the petitioners in CC No.3661/2013 of the Judicial First Class Magistrate's Court-I, Kasaragod, which has arisen from Crime No.108/2013 of Adhur Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/17/12

// True Copy //

PA to Judge