

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. 7657 of 2015 ()

**CC 2426/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ALAPPUZHA
CRIME NO. 745/2014 OF ALAPPUZHA SOUTH POLICE STATION,
ALAPPUZHA DISTRICT**

PETITIONER/ACCUSED :

**BACHAN KUMAR, AGED 34 YEARS,
S/O. SASIKUMAR, SHEELA NIVAS,
KUTHIRAPPANTHU WARD,
THIRUVAMPADY P.O., ALAPPUZHA.**

BY ADV. SRI.P.SHANES METHAR

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031.**
- 2. SATHEESH NAMBOODIRI, AGED 25 YEARS,
S/O. NARAYANAN NAMBOODIRI, VELLIMANA HOUSE,
PAZHAVEEDU WARD, PAZHAVEEDU P.O., ALAPPUZHA-688 123.**
- 3. NARAYANAN NAMBOODIRI, AGED 50 YEARS,
S/O.NARAYANAN NAMBOODIRI, VELLIMANA HOUSE,
PAZHAVEEDU WARD, PAZHAVEEDU P.O., ALAPPUZHA-688 123**

**R1 BY PUBLIC PROSECUTOR SMT.P. MAYA
R2 & 3 BY ADV. SRI.BENSON J LAWRENCE**

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE I :** CERTIFIED COPY OF THE FIR IN CRIME NO.745/2014 OF ALAPPUZHA SOUTH POLICE STATION, ALAPPUZHA.
- ANNEXURE II :** CERTIFIED COPY OF CHARGE IN CRIME SHEET IN CC NO.2426/2014 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, ALAPPUZHA.
- ANNEXURE III :** TRUE COPY OF THE TERMS OF SETTLEMENT ARRIVED AT BETWEEN PETITIONER AND 3RD RESPONDENT IN OS 745/2014 ON THE FILE OF PRINCIPAL MUNSIF COURT, ALAPPUZHA.
- ANNEXURE IV :** TRUE COPY OF THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT.
- ANNEXURE V :** TRUE COPY OF THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

B. KEMAL PASHA, J.

.....
CRL.M.C. No. 7657 of 2015
.....

Dated this the 16th day of December, 2015

ORDER

Petitioner is the accused in C.C. No.2426 of 2014 of the Judicial First Class Magistrate's Court-I, Alappuzha, which has arisen from Crime No.745 of 2014 of the Alappuzha South Police Station, registered for the offences punishable under Sections 420 and 506 of the Indian Penal Code, Section 17 of the Kerala Money Lenders Act, 1958 and Sections 9(1)(a) of Prohibition of Charging Exorbitant Interest Act.

2. The matter has been amicably settled between the petitioner and respondents 1 and 2 herein. Respondents 1 and 2 herein have filed Annexure-IV and Annexure-V affidavits affirming that the matter has been amicably settled between them and the petitioner and they have no complaints against the

petitioner.

3. 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.2426 of 2014 pending before the Judicial First Class Magistrate's Court-I Alappuzha, as against the petitioner, based on Annexure-I FIR in Crime No.745 of 2014 of the Alappuzha South Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in all further proceedings in C.C. No.2426 of 2014 pending before the Judicial First Class Magistrate's Court-I Alappuzha, as against the petitioner, based on Annexure-I FIR in Crime No.745 of 2014 of the Alappuzha South Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

Crl.M.C. No.7657 of 2015

: 3 :

[True copy]

P.S. to Judge