

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. 7664 of 2015

**CC 1956/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, NADAPURAM
CRIME NO. 267/2012 OF VALAYAM POLICE STATION, KOZHIKODE**
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PETITIONER(S)/ACCUSED NO.1 & 4:

- 1. MUJEEB, AGED 23 YEARS,
S/O.MAYANKUTTY, KISHAKKE KOOTALE HOUSE, VANIMEL,
VATAKARA, THALUK.**
- 2. ASKAR, AGED 23 YEARS,
S/O.AMMAD, KATTILAPARAMBATH HOUSE, VANIMEL,
VATAKARA THALUK.**

**BY ADVS.SRI.ZUBAIR PULIKKOOL
SRI.P.S.BINU**

RESPONDENT(S)/COMPLAINANT:

- 1. VINEESH, AGED 26 YEARS,
S/O.KUNHIKKANNAN, THARITHIPARAMBATH,
HO VANIMEL AMSOM AND DESOM, P.O. VANIMEL,
VATAKARA THALUK, PIN-673 101.**
- 2. SUDEESH, AGED 29 YEARS,
S/O.ASHOKAN, THAYYULLATHIL THAMASIKKUM VALAPPIL H.O.,
PO VANIMEL, VATAKARA THALUK, PIN-673 101.**
- 3. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**

**R1 & R2 BY ADV. SMT.P.A.ANEESHA
R3 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE**

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

msv/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE I : CERTIFIED COPY OF FINAL REPORT IN CRIME NO.267/2012 OF
VALAYAM POLICE STATION.**

**ANNEXURE II : CERTIFIED COPY OF THE JUDGMENT IN CC 1187/12 ON THE FILE OF
JFCM COURT, NADAPURAM.**

ANNEXURE III : SWORN AFFIDAVIT OF 1ST RESPONDENT.

ANNEXURE IV : SWORN AFFIDAVIT OF 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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Crl.M.C. No.7664 of 2015

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Dated this the 16th day of December, 2015

ORDER

Petitioners are accused in C.C. No.1956 of 2014 of the Judicial First Class Magistrate's Court, Nadapuram, which has arisen from Crime No.267 of 2012 of the Valayam Police Station, registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 506(ii) read with 149 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, Nadapuram as C.C.No.1187 of 2012. In the

said case, all the accused, except the petitioners, faced trial and they were acquitted by the learned Magistrate as per Annexurell judgment. The case against the petitioners is split up and re-filed as C.C.No.1956 of 2014.

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

4. 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, all further proceedings in C.C. No.1956 of 2014 pending before the Judicial First Class Magistrate's Court,

Nadapuram, as against the petitioners, based on Annexure-I Final Report in Crime No.267 of 2012 of the Valayam Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in C.C. No.1956 of 2014 pending before the Judicial First Class Magistrate's Court, Nadapuram, as against the petitioners, based on Annexure-I Final Report in Crime No.267 of 2012 of the Valayam Police Station, are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/17/12/15

// True Copy //

P.A. To Judge