

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

Cr1.MC.No. 7677 of 2015 ()

CRIME NO. 445/2015 OF HEMAMBIKA NAGAR POLICE STATION, PALAKKAD

PETITIONERS(S)/ALL THE ACCUSED:

1. RUNSO FRANCIS,
4TH YEAR MECHANICAL ENGINEERING,
N.S.S ENGINEERING COLLEGE, AKATHETHARA,
PALAKKAD 678 008

2. MAYOOKH E.P.,
4TH YEAR MECHANICAL ENGINEERING,
N.S.S ENGINEERING COLLEGE, AKATHETHARA,
PALAKKAD 678 008

BY ADVS.SRI.T.B.HOOD
SMT.M.ISHA
SRI.AMAL KASHA

RESPONDENTS/STATE & INJURED (VICTIMS):

1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
HEMAMBIKA NAGAR POLICE STATION, PALAKKAD,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
KOCHI 682 031

2. ASWIN M.NAIR, AGED 20 YEARS,
S/O. A MURALIDHARAN, ASWINAM, WEST OF KALATH JUNCTION,
AVALOOKUNNU P.O, ALAPPUZHA 688 006.

3. DHANESH KRISHNAN, AGED 20 YEARS,
S/O. GOPALAKRISHNAN S, PANAVELI PARAMBU HOUSE,
VALIYAMARAM, ALAPPUZHA 688 001.

R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 BY ADV. SRI.C.P.PRADEEP

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

Cr1.MC.No. 7677 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES:

ANNEXURE A-1 COPY OF THE FIRST INFORMATION REPORT IN CRIME NO
NO 445/2015 OF HEMAMBIKA NAGAR POLICE STATION.

ANNEXURE A-II NOTARISED AFFIDAVIT DATED 16-09-2015 SWORN TO BY
THE 2ND RESPONDENT.

ANNEXURE A-III AFFIDAVIT DATED 13-11-2015 SWORN TO BY THE 3RD
RESPONDENT.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/21/12/15

B.KEMAL PASHA, J.

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Crl.M.C. No.7677 of 2015

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Dated this the 16th day of December, 2015

ORDER

The petitioners are accused in Crime No.445 of 2015 of the Hemambika Nagar Police Station, registered for the offences punishable under Sections 341, 323, 294(b) and 308 IPC read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the defacto complainant, who is the 2nd respondent herein and the other injured, who is the 3rd respondent herein. On going through the matter, this Court is satisfied that there are no ingredients to invite an offence under Section 308 IPC in the matter. No criminal antecedents have been reported against the petitioners.

3. Respondents 2 and 3 have filed separate affidavits as

Annexure-AII and Annexure-AIII, affirming that the matter has been amicably settled between them and the petitioners and respondents 2 and 3 have no complaints against the petitioners. When the matter has been amicably settled between the parties, no purpose would be served in proceeding with the matter any further. Matters being so, Annexure-AI First Information Report in Crime No.445 of 2015 of the Hemambika Nagar Police Station, and all further proceedings in it as against the petitioners, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure-AI First Information Report in Crime No.445 of 2015 of the Hemambika Nagar Police Station, and all further proceedings in it as against the petitioners, are hereby quashed.

Sd/-

**B.KEMAL PASHA
JUDGE**

DSV/18/12/15

// True Copy //

PA. To Judge