

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Crl.MC.No. 7709 of 2015 ()

**CC.NO. 456/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOLLAM
CRIME NO. 1927/2012 OF ERAVIPURAM POLICE STATION , KOLLAM DISTRICT**

PETITIONER(S)/ACCUSED 1 TO 3:

1. SAJAN, AGED 22 YEARS,S/O.STANLY,
RESIDING AT SAJAN NIVAS, SAGARA NAGAR,
NO.77, EAST OF KAKKATHOPE CHURCH,
THEKKUMBHAGAM CHERRY,
MUNDAKKAL VILLAGE, KOLLAM.
2. JOMON, AGED 24 YEARS,S/O.GEORGE,
SAGARA NAGAR NO.218, THEKKUMBHAGAM CHERRY,
MUNDAKKAL VILLAGE, KOLLAM.
3. ARUN, AGED 24 YEARS,S/O.ALEXANDER,
PUTHENAZHIKAMTHOPE, EAST OF KAKKATHOPE CHURCH,
THEKKUMBHAGAM CHERRY,MUNDAKKAL VILLAGE,
NOW RESIDING AT ANUGRAHA NAGAR-57,
PALLITHOTTAM CHERRY, KOLLAM WEST VILLAGE,
KOLLAM.

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S)/STATE AND CW-1 :

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31
2. TENSION, AGED 35 YEARS,
VETTAS, DAYANA HOUSE,
EAST OF KAKKATHOPE NITHYASAHAYAMATHA CHURCH,
THEKKUMBHAGAM CHERRY, MUNDAKKAL VILLAGE,
KOLLAM-691 010.

**R1 BY PUBLIC PROSECUTOR SMT. MAYA
R2 BY ADV. SRI.SERGI JOSEPH THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 18-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 7709 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX-A1. THE TRUE COPY OF THE CHARGE SHEET IN CC 456/2013 OF THE
JUDICIAL FIRST CLASS MAGISTRATE COURT -II, KOLLAM IN CRIME
NO.1927/2012 OF ERAVIPURAM POLICE STATION**

**ANNEX-A2. AN AFFIDAVIT SWORN BY THE SECOND RESPONDENT STATING THE
SETTLEMENT OF ALL THE DISPUTES**

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
CRL.M.C. No.7709 of 2015
.....

Dated this the 18th day of December, 2015

ORDER

Petitioners are accused Nos.1 to 3 in C.C. No.456/2013 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.1927/2012 of the Eravipuram Police Station, registered for the offences punishable under Sections 294(b), 452, 427 and 506(i) read with Section 34 of the Indian Penal Code.

2. The matter has been amicably settled between the petitioners and the defacto complainant, who is the second respondent herein. The defacto complainant has filed Annexure A2 affidavit affirming that the matter has been amicably settled between him and the petitioners and he has no complaints against the petitioners.

3. 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.456/2013 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.1927/2012 of the Eravipuram Police Station, as against the petitioners, based on Annexure A1 Final Report, can be quashed.

In the result, this CrI.M.C. is allowed and all further proceedings in C.C. No.456/2013 of the Judicial First Class Magistrate's Court-II, Kollam, which has arisen from Crime No.1927/2012 of the Eravipuram Police Station, as against the petitioners, based on Annexure A1 Final Report, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge