

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. 7736 of 2015

**CRIME NO. 63/1997 OF KUMBLA POLICE STATION, KASARGOD
LPC 3/2003 IN SC.69/2002 OF ASSISTANT SESSIONS COURT, KASARAGOD**

PETITIONER(S)/ACCUSED:

**K.SATHEESAN, AGED 31 YEARS,
S/O.ANANDA, MUTTAM GATE, MH QUARTES,
MANGALPPADY, MANJESHWAR, KASARAGOD.**

**BY ADVS.SRI.K.PRAVEEN KUMAR
SMT.ANN SUSAN GEORGE**

RESPONDENT(S)/COMPLAINANT/STATE:

**1. CIRCLE INSPECTOR OF POLICE,
KUMBLA POLICE STATION, KASARAGOD -673122.**

**2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682031.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 7736 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE I: CERTIFIED COPY OF THE FINAL REPORT & MEMO OF EVIDENCE

**ANNEXURE II: THE CERTIFIED COPY OF THE JUDGMENT DATED 28.02.2003 IN
SESSIONS CASE NO.807/2000 ON THE FILES OF THE COURT OF
ASSISTANT SESSIONS JUDGE, KASARAGOD**

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 7736 of 2015

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Dated this the 15th day of December, 2015

ORDER

The petitioner is the accused in Crime No.63/1997 of the Kumbala Police Station, Kasaragod District, registered for the offences under Sections 143, 147, 148, 323 and 324 read with Section 149 IPC.

2. After the investigation, the final report was filed and case was taken up as S.C.No.807/2000 as the other connected case was pending as Sessions case. The petitioner was the 4th accused in the case. As he was absconding, the case against him was split up and refiled as S.C.No.69/2002, which is presently entered in the LP register as L.P. No.3/2003 of the Assistant Sessions Court, Kasaragod.

3. All the other accused in the case were acquitted through Annexure - II judgment dated 28.02.2003 by the Assistant Sessions Court, Kasaragod in Sessions Case No.807/2000. On going through the said judgment, it seems that all the witnesses including the injured

have turned hostile to the prosecution and did not support the prosecution case.

4. It has come out that the matter has been settled between the parties. Even if the trial against the petitioner is proceeded with, no fruitful purpose would be served in the matter and there would not be a chance of conviction. Matter being so, all further proceedings in L.P. No.3/2003 of the Assistant Sessions Court, Kasaragod based on Annexure-I Final Report in Crime No.63/1997 of the Kumbala Police Station, Kasaragod District, as against the petitioner, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings in L.P. No.3/2003 of the Assistant Sessions Court, Kasaragod based on Annexure-I Final Report in Crime No.63/1997 of the Kumbala Police Station, Kasaragod District, as against the petitioner, are hereby quashed.

Sd/-

B.KEMAL PASHA, JUDGE

Crl.M.C. No. 7736 of 2015

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