

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Crl.MC.No. 7767 of 2015

CC 148/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PAYYANNUR.

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PETITIONER(S)/ACCUSED:

1. P.V.VIJAYAN, AGED 45 YEARS,
S/O.P.V DEVAKI, NAREEKKAMVALLI P.O,
CHERUTHAZHAM AMSOM,
MANDOOR VIA, KANNUR DISTRICT.
2. C.K MADHU, AGED 40 YEARS,
S/O. C.K PARVATHI, CHALIL KOLIYADAN HOUSE,
ARATHIL, NAREEKKAMVALLI,
CHERUTHAZHAM AMSOM, KANNUR DISTRICT.
3. T.V RAGHAVAN, AGED 40 YEARS,
S/O.P.V KRISHNAN, NAREEKKAMVALLI P.O,
CHERUTHAZHAM AMSOM, MANDOOR VIA,
KANNUR DISTRICT
4. C.K RAJESH, AGED 25 YEARS,
S/O.P.V PRABHAKARAN, NAREEKKAMVALLI P.O,
CHERUTHAZHAM AMSOM, MANDOOR VIA,
KANNUR DISTRICT.

BY ADV. SRI.O.V.MANIPRASAD

RESPONDENT(S)/STATE AND THE COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. E.K DINESAN, AGED 41 YEARS,
S/O.T.V BHASKARAN, IROKI KOLIYADAN, 'THANAL',
P.O NAREEKKAMVALLI, MANDOOR VIA,
CHERUTHAZHAM PANCHAYAT,
KANNUR DISTRICT, PIN - 670 501.

R1 BY PUBLIC PROSECUTOR SMT.MAYA

R2 BY ADV. SRI.SAJU J PANICKER

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A1 :** THE TRUE COPY OF THE PRIVATE COMPLAINT
DATED 28-09-2009.
- ANNEXURE A2 :** THE TRUE COPY OF THE JUDGMENT DATED 09-10-2015 IN
CC NO 139/2012 ON THE FILE OF THE JUDICIAL FIRST CLASS
COURT, PAYYANNUR.
- ANNEXURE A3 :** THE TRUE COPY OF THE JUDGMENT DATED 12-10-2015 IN
CC NO 63/2012 ON THE FILE OF THE JUDICIAL FIRST CLASS
COURT, PAYYANNUR.
- ANNEXURE A4 :** THE AFFIDAVIT SWORN TO BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES:

//TRUE COPY//

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
CRL.M.C. No.7767 of 2015
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Dated this the 21st day of December, 2015

ORDER

Petitioners are accused in C.M.P.No.4316/2009 of the Judicial First Class Magistrate's Court, Payyannur, which is now pending before the said court as C.C.No.148/2011, alleging offences punishable under Sections 352, 506(i) and 427 read with Section 34 of the Indian Penal Code.

2. The case has been registered on the basis of a private complaint filed by the defacto complainant, who is the 2nd respondent herein, before the Judicial First Class Magistrate's Court, Payyannur. It seems that the matter has been amicably settled between the petitioners and the defacto complainant. The defacto complainant has filed Annexure A4 affidavit affirming that the matter has been amicably settled between him and the petitioners and he

has no complaints against the petitioners.

3. When the matter has been amicably settled, no purpose would be served in proceeding with the matter further, and therefore, Annexure A1 private complaint and all further proceedings on it in C.C. No.148/2011 of the Judicial First Class Magistrate's Court, Payyannur, as against the petitioners, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure A1 private complaint and all further proceedings on it in C.C. No.148/2011 of the Judicial First Class Magistrate's Court, Payyannur, as against the petitioners, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge

CRL.M.C.No. 7767 of 2015

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