

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. 7817 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN CC 1040/2012 of J.M.F.C.-I, ATTINGAL

CRIME NO. 330/2012 OF CHIRAYINKEEZHU POLICE STATION ,
THIRUVANANTHAPURAM

PETITIONER(S)/PETITIONERS/ACCUSED:

1. SURESHKUMAR, AGED 45 YEARS
S/O. BHASI, KOZHIYOTTUMADOM, CHIRAYINKEEZHU
THIRUVANANTHAPURAM DIST.
2. BHASI, AGED 75 YEARS
KOZHIYOTTUMADOM, CHIRAYINKEEZHU
THIRUVANANTHAPURAM DIST.

BY ADV. SRI.J.JAYAKUMAR

RESPONDENT(S)/RESPONDENT/COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
- * ADDL.R2 RAJU, AGED 46 YEARS (CW1)
S/O.RAKHAVAN, PANDIKAKUDI VEEDU
PALAIKKAVILA, VAYDHYANTEMUKKU
KIZHUVILOM VILLAGE, CHIRAYINKEEZHU TALUK
THIRUVANANTHAPURAM DISTRICT
- * ADDL.R3 SUJITHRA, AGED 26 YEARS (CW3)
S/O.SARASWATHI, MOORUVILAKOM VEEDU
VAYDHYANTEMUKKU, KIZHUVILOM VILLAGE,
CHIRAYINKEEZHU TALUK
THIRUVANANTHAPURAM DISTRICT
(IMPLEADED AS ADDL.R2 AND R3 AS PER ORDER DATED 21.12.2015 IN
CRL.M.A.11870/2015)

R BY PUBLIC PROSECUTOR SMT.MAYA

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

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE A1- TRUE COPY OF THE FINAL REPORT IN CRIME NO. 330/2012 OF CHIRAYINKIL POLICE STATION.

ANNEXURE A2- TRUE COPY OF THE PETITIONS DATED 14-11-2014 FILED BY CWS 1 AND 3 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, ATTINGAL.

ANNEXURE A2(A)- TRUE COPY OF THE VAKALATH OF CWS 1 AND 3 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, ATTINGAL.

ANNEXURE A3- TRUE COPY OF DEPOSITIION OF PW-1 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, ATTINGAL.

ANNEXURE A4- TRUE COPY OF DEPOSITIION OF PW-2 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, ATTINGAL.

ANNEXURE A5- TRUE COPY OF DEPOSITIION OF PW-3 BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, ATTINGAL.

ANNEXURE A6- TRUE COPY OF THE ORDER DATED 26-11-2015 IN CRL.M.C.NO. 7136/2015 OF THIS HON'BLE COURT.

ANNEUXRE-A7 TRUE COPY OF THE AFFIDAVIT DTD 16.12.2015 OF CW1.

ANNEXURE-A8 TRUE COPY OF THE AFFIDAVIT DTD 16.12.2015 OF CW3.

RESPONDENT(S)' EXHIBITS : NIL

// True Copy //

PA to Judge

B. KEMAL PASHA, J.

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Crl.M.C. No.7817 of 2015 E
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Dated this the 21st day of December, 2015

ORDER

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Petitioners are the accused in CC No.1040/2012 of the Judicial First Class Magistrate's Court-I, Attingal, which has arisen from Crime No.330/2012 of Chirayinkeezhu Police Station for the offences punishable under Sections 447 and 324 read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the de facto complainant, who is the additional 2nd respondent herein, and the other affected person, who is the additional 3rd respondent herein.

3. Additional respondents 2 and 3 have filed Annexures-A7 and A8 affidavits affirming that the matter has been amicably settled between them and the petitioners and presently, they have no complaints against the petitioners.

No criminal antecedents have been reported against the petitioners. The injuries sustained to the de facto complainant are trivial. When the matter is settled between the parties, no purpose would be served in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in CC No.1040/2012 of the Judicial First Class Magistrate's Court-I, Attingal, which has arisen from Crime No.330/2012 of Chirayinkeezhu Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioners in CC No.1040/2012 of the Judicial First Class Magistrate's Court-I, Attingal, which has arisen from Crime No.330/2012 of Chirayinkeezhu Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/21/12

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PA to Judge