

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Crl.MC.No. 7198 of 2014

**CC 1342/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KANNUR
CRIME NO. 380/2014 OF VALAPPATANAM POLICE STATION , KANNUR**

PETITIONER(S)/ACCUSED NO. 1 TO 6:

- 1. T A MOIDEENPILLA, AGED 50 YEARS,
S/O.AHAMEDUNNI, THACHIRUKUDI HOUSE,
MUDIKKAL PO, VAZHAKKULAM, PERUMBAVOOR,
ERNAKULAM DISTRICT.**
- 2. PAREETH T.M & ALIYARM, AGED 52 YEARS
S/O.AHAMEDUNNI, THACHIRUKUDI HOUSE, MOULOODUPURA,
MUDIKKAL P.O., VAZHAKKULAM, PERUMBAVOOR
ERNAKULAM DISTRICT.**
- 3. NAZAR M.K, AGED 30 YEARS
S/O.KOCHAHAMMED, MULLADAN HOUSE, EDAVOOR
KOOVAPADI, OKKAL, KALADY
ERNAKULAM DISTRICT.**
- 4. JUVAID T.M, AGED 22 YEARS,
S/O.ALIYAR, THACHIRUKUDI HOUSE, MOULOODUPURA
MUDIKKAL P.O., VAZHAKKULAM, PERUMBAVOOR
ERNAKULAM DISTRICT.**
- 5. ASHARAF M.E., AGED 47 YEARS
S/O.IBRAHIMKUTTY, MALEKUDI HOUSE, KONJASSERI
VENGOLA, PERUMBAVOOR, ERNAKULAM DISTRICT.**
- 6. MOHAMED ANAS AL-KASIMI, AGED 36 YEARS,
S/O.KUNHIMOHAMED, MUBARAK MANZIL, MOROTTIKKAL
VENGOLA, KANDEKKAD, PERUMBAVOOR
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

Crl.MC.No. 7198 of 2014

RESPONDENT(S)/DEFACTO COMPLAINANT AND STATE:

- 1. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. KABEER M.P, AGED 41 YEARS
S/O.ABDUL ASEES, RESIDING AT 'FIDAS', KEERIYAD
VALAPATTANAM P.O., KANNUR-670010.**
- 3. AFSATH, AGED 60 YEARS,
W/O.ABDUL AZEEZ, RESIDING AT 'AFSATH MANZIL', KEERIYAD
VALAPATTANAM P.O., KANNUR-670010.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2,R3 BY ADV. SRI.C.H.ABDUL RASAC**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 15-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 7198 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE-A1: TRUE COPY OF THE FINAL REPORT IN CRIME NO.380/2014

ANNEXURE-A2: TRUE COPY OF THE AFFIDAVIT SWORN IN BY RESPONDENTS 2 & 3

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

CRL.M.C.No.7198 of 2014

Dated this the 15th day of June, 2015

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioners are accused in CC.No.1342 of 2014 on the file of the Judicial First Class Magistrate Court-II, Kannur. They are charged with having committed the offences under Sections 143, 147, 148, 323, 326, 354, 452, and 506 (2) read with Section 149 of Indian Penal Code. The victims are respondents 2 and 3. It is submitted that the matter has been settled. The prayer is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioners and respondents 2 and 3 and the learned Public Prosecutor.

4. I have perused the affidavits filed by respondents 2 and 3. It appears that the incident occurred due to some family problems. The allegation that the matter has been settled appears to be true. No public interest is involved in this case. So, there is no impediment

for quashing the proceedings in the criminal case.

In the result, this Crl.M.C. is allowed. The proceedings in CC.No.1342/2014 on the files of the Judicial First Class Magistrate Court-II, Kannur are quashed. The material objects if any produced in the case shall be disposed of by the learned Magistrate.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge