IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

TUESDAY, THE 18TH DAY OF MARCH 2025 / 27TH PHALGUNA, 1946

CRL.MC NO. 10626 OF 2024

CRIME NO.1886/2021 OF KANNUR TOWN POLICE STATION, KANNUR

AGAINST THE ORDER/JUDGMENT IN SC NO.761 OF 2022 OF ADDITIONAL DISTRICT COURT & SESSIONS COURT – III, THALASSERY

PETITIONERS:

1 ABDUL RAHEEM,
AGED 33 YEARS
S/O.MUHAMMED KOYA, PATTARAKATH HOUSE,
POTHUVACHERI, MANIKEEL TEMPLE ROAD,
KANNUR DISTRICT, PIN – 670621

2 MUHAMMED RISA @ RISWATTY,
AGED 28 YEARS
S/O.MOTHU, SABANOOR QUARTERS, ANDATHODE,
MARAKKARKANDY (P.O), THAYYIL,
KANNUR DISTRICT, PIN – 670007

3 MUHAMMED RISWAN K P @ RISU,
AGED 29 YEARS
S/O.NISAR, THUPPATHIL HOUSE,
MARAKKARKANDY (P.O), THAYYIL,
KANNUR DISTRICT, PIN – 670007

4 RAFEED K,
AGED 32 YEARS
S/O.KNHAMMU, KOVULIL HOUSE,
KOYYODE, KANNUR DISTRICT,
PIN – 670621

5 NIHAD A P,
AGED 27 YEARS

S/O.HANEEFA, KHADEEJA MANZIL,
KANMBIL, KANNUR DISTRICT, PIN – 670601

6 **JISHNU,**
AGED 29 YEARS
S/O.PRATHEEPAN, SATHEE NILAYAM,
CHENGAL THADAM (P.O), PAYANGADI,
KANNUR DISTRICT, PIN – 670303

7 **ABDUL MUNEER,**
AGED 28 YEARS
S/O. MUHAMMED KOYA, PATTARAKATH HOUSE,
POTHUVACHERI, MANIKEEL TEMPLE ROAD,
KANNUR DISTRICT, PIN – 670621

BY ADV K.DILIP

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN – 682031

2 **BATHISHA K,**
AGED 40 YEARS
S/O.ABDULLA, KEERANTAKATH HOUSE,
19TH MILE, CHAVASSERY (P.O),
MATTANNUR, KANNUR DISTRICT, PIN – 670702

BY SMT. PUSHPALATHA. M.K, SR.PP.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18.03.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

This Crl.M.C is filed seeking to quash the final report in Crime No.1886 of 2021 registered at the Kannur Town Police Station and further proceedings in SC.No.761 of 2022 pending on the files of the Additional Sessions Court-III, Thalassery. The crime is registered alleging commission of offences under Sections 143, 147, 148, 341, 363, 506, 323, 324, 326 and 307 r/w Section 149 of IPC.

2. Learned counsel for the petitioners submitted that the dispute between the petitioners and the de facto complainant is settled and even though offence under Section 307 IPC is alleged, a perusal of the wound certificate will reveal that the de facto complainant did not suffer serious injuries.

3. Learned Public Prosecutor submitted that, apart from the present crime, the 1st petitioner is involved in other crimes as well.

4. Insofar as the offence under Section 307 IPC is alleged, it will be inappropriate for this Court to quash the proceedings, particularly when the 1st petitioner is stated to be

involved in other crimes.

5. Learned counsel for the petitioners then submitted that there may at least be a direction to the trial court to dispose of the case at the earliest.

The Crl.M.C is accordingly dismissed, directing the Additional Sessions Judge-III, Thalassery, to take earnest efforts to conduct trial and pronounce judgment in SC.No.761 of 2022, as expeditiously as possible.

Sd/-

V.G.ARUN

JUDGE

SPV

APPENDIX OF CRL.MC 10626/2024

PETITIONERS' ANNEXURES

ANNEXURE 1	**A CERTIFIED COPY OF THE FIR IN CRIME NO.1886/2021 OF KANNUR TOWN POLICE STATION DATED 27/11/2021 ALONG WITH FI STATEMENT**
ANNEXURE 2	**A CERTIFIED COPY OF THE FINAL REPORT FILED IN S.C NO.761/2022 DATED 26/01/2022**
ANNEXURE 3	**AFFIDAVIT SWORN BY THE 2NDRESPONDENT DATED 15/11/2024**

RESPONDENTS' ANNEXURES: NIL

//TRUE COPY//

PA TO JUDGE