

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**FRIDAY, THE 29TH DAY OF JANUARY 2016/9TH MAGHA, 1937**

**Crl.MC.No. 342 of 2016 ()**

**CC 876/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT-II, HOSDRUG**

**PETITIONERS/ACCUSED :**

1. **ABDUL GAFOOR K.E. @ GAFOOR, AGED 31 YEARS,  
S/O. IBRAHIM, KUNIYA, RIFAYYA NAGAR,  
PANAYIL VILLAGE, KASARAGOD DISTRICT**
2. **NOUFAL MOHAMMED @ NOUFAL, AGED 26 YEARS,  
S/O. K.A MOHAMMED, KUNIYA HOUSE, KUNIYA BUS STOP,  
PERIYA, KASARAGOD DISTRICT**
3. **K.M. MOHAMMED NOUFAL @ NOUFAL, AGED 23 YEARS,  
S/O. ABBAS, KUNIYA BUS STOP, PERIYA  
KASARAGOD DISTRICT**
4. **MOHAMMED SAJEER M @ SAJEER, AGED 27 YEARS,  
S/O. MOHAMMED, SAJEER MANZIL, KUNIYA RIFAYYA NAGAR,  
KASARAGOD DISTRICT**
5. **SHAMEER K.M., AGED 23 YEARS,  
S/O. MOHAMMED, SHAMEER MANZIL QUARTERS, KUNIYA,  
PERIYA VILLAGE, KASARAGOD DISTRICT**
6. **SIDDIQUE M., AGED 22 YEARS,  
S/O. AZEEZ MANZIL, PUTTANKALLIL, PANAYIL VILLAGE,  
PERIYA, KASARAGOD DIST**

**BY ADVS.SRI.RAHUL SASI  
SMT.NEETHU PREM**

**RESPONDENTS/COMPLAINANT :**

1. **STATE OF KERALA  
RERPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM**
2. **K.M HASSAINAR @ ASSAINAR, AGED 56 YEARS,  
S/O. MOHAMMEDKUNHI, RIFAYA MANZIL, KUNIYA  
PERIYA MVILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT**

**R1 BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE  
R2 BY ADV. SRI.NIRMAL V NAIR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 29-01-2016, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**Crl.MC.No. 342 of 2016 ()**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**ANNEXURE A1:        A TRUE COPY OF THE FIR IN CRIME NO. 547 OF 2011 OF BEKAL  
POLICE STATION.**

**ANNEXURE A2:        AFFIDAVIT DATED 05-01-2016 SUBMITTED BY 2ND  
RESPONDENT**

**RESPONDENT(S)' EXHIBITS        :        NIL.**

**//TRUE COPY//**

**P.A. TO JUDGE**

**bp**

**B. KEMAL PASHA, J.**

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Crl.M.C. No.342 of 2016  
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*Dated this the 29<sup>th</sup> day of January, 2016*

**O R D E R**

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Petitioners are the accused in CC No.876/2014 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.547/2011 of Bekal Police Station for the offences punishable under Sections 143, 147, 148, 341, 323 and 324 read with Section 149 IPC.

2. It seems that the matter has been amicably settled between the petitioners and the de facto complainant, who is the 2<sup>nd</sup> respondent herein.

3. The 2<sup>nd</sup> respondent has filed Annexure-A2 affidavit affirming that the matter has been amicably settled between him and the petitioners and presently, he has no complaints against the petitioners. No criminal antecedents

have been reported against the petitioners. The injuries sustained to the de facto complainant are trivial. No purpose would be served in proceeding with the matter further. Matters being so, all further proceedings against the petitioners in CC No.876/2014 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.547/2011 of Bekal Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioners in CC No.876/2014 of the Judicial First Class Magistrate's Court-II, Hosdurg, which has arisen from Crime No.547/2011 of Bekal Police Station, are quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/29/01

*// True Copy //*

*PA to Judge*