

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF APRIL 2016/9TH VAISAKHA, 1938

Cr1.MC.No. 2601 of 2016 ()

CC 836/2013 of J.M.F.C.-II, ATTINGAL
CRIME NO. 363/2013 OF KILIMANOOR POLICE STATION, THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED :-

1. SAMEER, AGED 30 YEARS, S/O.SALIM,
THADATHARIKATHU VEEDU, MANJAPARA DESOM,
PULIMATHU VILLAGE, THIRUVANANTHAPURAM DISTRICT.
2. NOUFAL, AGED 24 YEARS, S/O.SALAHUDEEN,
CHEMPURANAYIL VEEDU, MANJAPPARA DESOM,
PULIMATH VILLAGE, THIRUVANANTHAPURAM DISTRICT.
3. NOUSHAD, AGED 34 YEARS, S/O.ABDUL KHADAR,
THUNDAVILA VEEDU, KESAVAPURAM DESOM,
VELLALLOOR VILLAGE, THIRUVANANTHAPURAM DISTRICT.
4. SUBIN, AGED 29 YEARS, S/O.ABDUL RASHEED,
M.K.HOUSE, MANJAPARA DESOM, PULIMATHU VILLAGE,
THIRUVANANTHAPURAM DISTRICT.
5. SULTHAN, AGED 24 YEARS, S/O.NAVAS,
SULTHAN MANZIL, MANJAPPARA DESOM,
PULIMATH VILLAGE, THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.K.SIJU
SMT.S.SEETHA

RESPONDENT(S)/DE-FACTO COMPLAINANT & STATE :-

1. STATE OF KERALA THROUGH THE SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
2. SANTHOSH @ KANNAN, AGED 37 YEARS,
S/O.GOPALA PILLAI, MELEVELLAPPALLY VEEDU,
KEEZPEROOR DESOM, VELLALLOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.
3. DILEEP @ PODIMON, AGED 35 YEARS,
S/O.GOPALA PILLAI, MELEVELLAPPALLY VEEDU,
KEEZPEROOR DESOM, VELLALLOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT

R2 & R3 BY ADV. SRI.A.MUHAMMED RAFFI
R1 BY PUBLIC PROSECUTOR SRI.EGY N ELIAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
29-04-2016, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

ANNEXURE 1 : THE COPY OF FIR WITH FIS IN CRIME NO.363/2013 OF
KILIMANOOR POLICE STATION.

ANNEXURE 2 : THE COPY OF FINAL REPORT SUBMITTED IN CRIME
NO.363/2013.

ANNEXURE 3 : THE COPY OF AFFIDAVIT SWORN BY THE 2ND RESPONDENT
REGARDING SETTLEMENT DATED 25.02.2016.

ANNEXURE 4 : THE COPY OF AFFIDAVIT SWORN BY THE 3RD RESPONDENT
REGARDING SETTLEMENT DATED 25.02.2016.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

K. ABRAHAM MATHEW, J.

Crl.M.C. No. 2601 OF 2016

Dated this the 29th day of April, 2016

O R D E R

The petitioners are accused in CC No.836/2013 of Judicial First Class Magistrate Court-II, Attingal. They are charged with having committed offences under Sections 143, 147, 148, 294(b), 324, 341 and 427 read with Section 149 IPC. It is submitted that the matter has been settled between the parties concerned and the proceedings in the criminal case may be quashed.

2. Heard. The respondents 2 and 3 who are the victims in the case have entered appearance through counsel and filed affidavits to the effect that the matter has been settled and they have no objection to the criminal case being quashed. There is a counter case also. That also has been settled. I am satisfied that the matter has been settled and no public interest is involved in this matter. So I am inclined to allow the prayer of the petitioners.

In the result, this Crl.M.C. is allowed. The proceedings in CC No.836/2013 of Judicial First Class Magistrate Court-II, Attingal are

Crl. M.C. No. 2601 of 2016

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quashed. If any material objects have been produced in the trial court, the learned Magistrate shall pass appropriate orders for their disposal.

**K. ABRAHAM MATHEW,
JUDGE**

ttb/29/4/16