

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 31ST DAY OF JANUARY 2018 / 11TH MAGHA, 1939

Cr1.MC.No. 383 of 2018

S.C.722/2013 OF DISTRICT & SESSIONS COURT, PALAKKAD
CRIME NO.126/2012 OF OTTAPALAM POLICE STATION, PALAKKAD

PETITIONERS/ACCUSED 1 TO 4:

- 1 YOUSUF ALI @ YOUSUF,
 AGED 40 YEARS, S/O MUHAMMAD,
 PALAKKATTIL HOUSE, KUMARANELLOOR (P.O.), PIN
 VADAKKANCHERRY, TRISSUR DISTRICT.
- 2 SAINUDHEEN,
 AGED 34 YEARS, S/O MUHAMMED,
 PALAKKATTIL HOUSE, KUMARANELLOOR (P.O.), PIN
 VADAKKANCHERRY, TRISSUR DISTRICT.
- 3 SAIDALI,
 AGED 39 YEARS, S/O USMAN,
 KOOTTUNGAL HOUSE, KUMARANELLOOR (P.O.), PIN
 VADAKKANCHERRY, TRISSUR DISTRICT.
- 4 ABDUL JALEEL,
 AGED 32 YEARS, S/O SAIDALI,
 KUTTIYATTIL HOUSE, KUMARANELLOOR (P.O.), PIN
 VADAKKANCHERRY, TRISSUR DISTRICT.

BY ADVS. SRI. JAMSHEED HAFIZ
SMT. T. S. SREEKUTTY

RESPONDENTS/STATE/DEFACTO COMPLAINANT:

1. THE STATE OF KERALA,
 REPRESENTED BY THE PUBLIC PROSECUTOR,
 HIGH COURT OF KERALA, PIN-682031.
2. SHAJID ALI,
 AGED 42 YEARS, S/O MUSTHAFA, CHATHAMKULAM,
 SHORNUR, PALAKKAD DISTRICT, PIN-678001.

R1 BY PUBLIC PROSECUTOR SRI. ALEX M. THOMBRA
R2 BY ADV. SRI. T. K. SANDEEP

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31-01-2018,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

EL

APPENDIX

PETITIONER(S) ' ANNEXURES

ANNEXURE 1 A CERTIFIED COPY OF THE FIR IN CRIME NO.126/2012
BEFORE THE POLICE STATION OTTAPPALAM DATED
01.02.2012

ANNEXURE 2 A CERTIFIED COPY OF THE CHARGE SHEET NO.193/2012
BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE
COURT OTTAPPALAM DATED 09.03.2012

ANNEXURE 3 THE ORIGINAL AFFIDAVIT SWORN BY THE 2ND
RESPONDENT DATED 30.12.2017.

RESPONDENT(S) ' ANNEXURE

NIL

TRUE COPY

P.S. TO JUDGE

EL

B. KEMAL PASHA, J.

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Crl.M.C. No.383 of 2018
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Dated this the 31st day of January, 2018

ORDER

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Petitioners are the accused in SC. No.722/2013 of the Sessions Court, Palakkad, based on Annexure-2 final report in Crime No.126/2012 of Ottappalam Police Station, for the offences punishable under Sections 323, 294(b) and 308 read with Section 34 IPC.

2. It seems that the matter has been amicably settled between the parties.

3. On going through the matter, this Court is satisfied that there are no ingredients to invite an offence under Section 308 IPC in the matter. The de facto complainant, who is the 2nd respondent herein, has filed Annexure-3 affidavit affirming that the matter has been amicably settled between him and the petitioners and he has no complaints against the petitioners.

4. When the matter has been amicably settled between the parties, no purpose would be served in proceeding with the matter any further. Matters being so, all further proceedings against the petitioners in SC. No.722/2013 of the Sessions Court, Palakkad, based on Annexure-2 final report in Crime No.126/2012 of Ottappalam Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and all further proceedings against the petitioners in SC. No.722/2013 of the Sessions Court, Palakkad, based on Annexure-2 final report in Crime No.126/2012 of Ottappalam Police Station, are quashed.

Sd/-
B.KEMAL PASHA, JUDGE

aks/31/01

// True Copy //

PS to Judge