

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 31ST DAY OF JULY 2018 / 9TH SRAVANA, 1940

Cr1.MC.No. 5068 of 2018

CC 23/2015 of C.J.M.PALAKKAD

CRIME NO. 971/2014 OF PALAKKAD TOWN SOUTH POLICE STATION , PALAKKAD

PETITIONER(S)/ACCUSED 1 TO 4

- 1 KAJA HUSSAIN,
AGED 26 YEARS, S/O.SAYED MUHAMMED,
PUTHOORATHIL PARAMBIL (H) , KIZHAKKUPURAM,
MANNUR, PATHTHIRIPPALA, PALAKKAD.
- 2 MUJEEB, AGED 27 YEARS,
SHAKE SABIIYULLA, NADUPIDIKKAYIL HOUSE,
KIZHAKKUPURAM, MANNUR, PATHTHIRIPPALA,
PALAKKAD.
- 3 ABDUL SALAM K.M. , AGED 27 YEARS,
S/O.MUHAMMED ALI, KECHERIPARAMBIL,
KIZHAKKUPURAM, MANNUR, PATHTHIRIPPALA,
PALAKKAD.
- 4 NOUFAL, AGED 26 YEARS,
S/O.HAMSA, MENEDATHUKULAM, KIZHAKKUPURAM,
MANNUR, PATHTHIRIPPALA, PALAKKAD.

BY ADV.SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S)/DEFACTO COMPLAINANT AND STATE. :

1. ABDUL AZEEZ, AGED 50 YEARS,
S/O.AHAMMED SAHIB, CHATHANKULANGARA HOUSE,
KUTHANNUR, PALAKKAD-678308.
2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.

R1 BY ADV. SRI.UNNI SEBASTIAN KAPPEN

R2 BY SENIOR PUBLIC PROSECUTOR SRI.C.S.HRITHWIK

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31-07-2018, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

ANNEXURE A- TRUE COPY OF THE FINAL REPORT IN CRIME
NO.971/2014 OF PALAKKAD TOWN SOUTH POLICE
STATION PALAKKAD DISTRICT WHICH IS NOW PENDING
AS CC.NO.23/2015 ON THE FILE OF THE COURT OF CHIEF
JUDICIAL MAGISTRATE, PALAKKAD.

ANNEXURE B- AFFIDAVIT SWORN BY THE 1ST RESPONDENT HEREIN
EVIDENCING THE AFORESAID FACTUM OF SETTLEMENT

RESPONDENT' (S) EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE

bka/-

K. ABRAHAM MATHEW, J.

Crl.M.C. No. 5068 of 2018

Dated this the 31st day of July, 2018

ORDER

Petition filed under Section 482 Cr.P.C.

2. Petitioners are the accused in CC No. 23 of 2015 on the file of the Chief Judicial Magistrate Court, Palakkad registered for the offences under Sections 294(b), 323, 324, 341, 427, 452 & 506 r/w Section 34 of the Indian Penal Code. The first respondent is the victim. It is submitted that the matter has been settled and the proceedings in the criminal case may be quashed.

3. Heard the learned counsel for the petitioners and the first respondent and the learned Public Prosecutor.

4. I have perused the affidavit filed by the first respondent, who has entered appearance through counsel. I am satisfied that the allegation of settlement is true and no public interest is involved. There is no impediment for granting the prayer of the petitioners.

In the result, this Crl.M.C. is allowed. The proceedings

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in CC No. 23 of 2015 on the file of the Chief Judicial Magistrate Court, Palakkad are quashed. If any material objects have been produced in the case, the learned magistrate may pass appropriate orders for their disposal.

Sd/-
K. ABRAHAM MATHEW
JUDGE

bka/31.07.2018