

Vishal Vs. Praveenkumar

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SooperKanoon Citation : sooperkanoon.com/1097204

Court : Kerala

Decided On : Nov-04-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Vishal

Respondent : Praveenkumar

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE HARUN-UL-RASHID MONDAY, THE 4TH DAY OF NOVEMBER 2013 13TH KARTHIKA, 1935 CrI.MC.No. 5077 of 2013 ()
----- AGAINST THE

ORDER

/

JUDGMENT

IN CC8252012 of J.M.F.C.-I, PATHANAMTHITTA CRIME NO. 175/2012 OF ARANMULA POLICE STATION , PATHANAMTITTA PETITIONER/ACCUSED:-
----- 1. VISHAL, AGED 23 YEARS, S/O.VIJAYAKUMAR, VISAKH BHAVANAM, KALYATHARA JUNCTION, VENMANI PADINJAREMURI, VENMANI VILLAGE, PATHANAMTITTA DISTRICT - 689 643.

2. ABHISHEK NANDHAN, AGED 21 YEARS, S/O.RADHAKRISHNAN, MELETHADATHIL, MALAKKARA, EDYARANMULA MURI, ARANMULA

VILLAGE, PATHANAMTHITTA DISTRICT - 689 532.

3. SREEKANTH, AGED21YEARS, S/O.SREEKUMAR, MULAVANNA PADINJATTETHIL, CHERIYANAD VILLAGE, PATHANAMTHITTA DISTRICT - 689 643.

4. VISHNU MOHAN, AGED22YEARS, S/O.MOHANAKUMAR, VENGAZHA VEEDU, KILLIYANKAVU, EZHUMATTOOR VILLAGE, PATHANAMTHITTA DISTRICT - 689 586.

5. AVINASH KRISHNA, AGED22YEARS, S/O.RADHAKRISHNA KURUP, SREYAS VEEDU, KANAMUKKU MURI, NARANGANAM VILLAGE, PATHANAMTHITTA DISTRICT - 689 642.

6. SHAN VARGHESE, AGED21YEARS, S/O.VARGHESE, PAPPALLIL VEEDU, KUNNAKKAL MURI, MOOVATTUPUZHA VILLAGE PATHANAMTHITTA DISTRICT - 689 643.

7. ASHIH MOHAN, AGED22YEARS, S/O.MOHANAN, KUDUMBASSERIL HOUSE, MAHADEVIKKADU MURI, KARTHIKAPPALLY TALUK, ALAPPUZHA DISTRICT - 690 516.

8. JERRIN THOMAS, AGED21YEARS, S/O.THOMAS, THATTASSERIL VEEDU, ANTHYALANKAVU, KADAMMANITTA MURI, NARANGANAM VILLAGE, PATHANAMTHITTA DISTRICT - 689 642. CrI.MC.No. 5077 of 2013 (

9. NEERAJ R. PILLAI, AGED22YEARS, S/O.RADHAKRISHNAN, KARTHIKA, KATTODUMURI, KUTTAPUZHA VILLAGE PATHANAMTHITTA DISTRICT - 689 103. BY ADV. SRI.AJEESH K.SASI RESPONDENTS/DEFACTO COMPLAINANT AND STATE:-: ----- 1.

PRAVEENKUMAR, AGED20YEARS, S/O.PRABHAKARAN PILLAI, PRADOSH BHAVAN, CHERUVALLI, KAYAMKULAM, ALAPPUZHA DISTRICT - 690 502.

2. SARAN V. SOMAN, AGED20YEARS, S/O.SOMAN, VAZHAYIL THEKKETHIL HOUSE, KEEZHCHERIMEL MURI, CENGANNUR VILLAGE, ALAPPUZHA DISTRICT - 689 121.

3. ARAVIND V.G., AGED19YEARS, S/O.GEETHAKUMARI, GEETHANJALI, CHEMMANADU, KUTHIATHODU, ALAPPUZHA DISTRICT - 688 533.

4. JIKKU VARGHESE JACOB, AGED18YEARS, S/O.JACOB, THEKKENETHU VEETIL, MAMMOODU, VALLICODE VILAGE, PATHANAMTHITTA DISTRICT - 689 643.

5. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM - 682 031. R1-R4 BY ADV. SRI.M.REVIKRISHNAN R5 BY PUBLIC PROSECUTOR SRI RAJESH VIJAYAN THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON0411-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CrI.MC.No. 5077 of 2013 () ----- APPENDIX PETITIONER(S)' EXHIBITS ----- ANNEXURE A. TRUE COPY OF THE FINAL REPORT IN CRIME NO.175/2012 OF ARANMULA POLICE STATION. ANNEXURE B. THE AFFIDAVIT SWORN IN BY THE DEFACTO COMPLAINANT (CW1)/ 1ST RESPONDENT IN SIGNIFYING THE FACTUM OF SETTLEMENT COMPOSITION OF THE DISPUTES WITH THE PETITIONERS. ANNEXURE C. THE AFFIDAVIT SWORN IN BY CW2/2ND RESPONDENT SIGNIFYING THE FACTUM OF SETTLEMENT COMPOSITION OF THE DISPUTES WITH THE PETITIONERS. ANNEXURE D. THE AFFIDAVIT SWORN IN BY CW3/3RD RESPONDENT SIGNIFYING THE FACTUM OF SETTLEMENT COMPOSITION OF THE DISPUTES WITH THE PETITIONERS. ANNEXURE E. THE AFFIDAVIT SWORN IN BY CW4/4TH RESPONDENT SIGNIFYING THE FACTUM OF SETTLEMENT COMPOSITION OF THE DISPUTES WITH THE PETITIONERS. RESPONDENT(S)' EXHIBITS: NIL ----- /TRUE COPY/ P.A TO JUDGE LSN HARUN-UL-RASHID, J.

----- CrI. M.C No.5077 of 2013 ----- Dated this the 4th day of November, 2013.

ORDER

Heard the learned counsel for the petitioners and respondents.

2. Petitioners are accused in Crime No.175/2012 of Aranmula Police Station. The petition is filed seeking to quash Annexure-A F.I.R and entire proceeding in C.C No. 825/2012.

3. The offence alleged is punishable under Sections 143, 147,148, 149, 323 and 324 of IPC.

4. The learned counsel on both sides submit that the disputes between the parties have been amicably settled and having regard to the resolution of the disputes between the parties, continuance of the criminal prosecution against the petitioners is an avoidable irritant. In view of the settlement arrived at between the parties, the CrI.M.C is disposed of quashing Annexure-A F.I.R and entire proceeding in C.C No. 825/2012 on the files of Judicial First Class Magistrate Court-I, Pathanamthitta. Sd/-HARUN-UL-RASHID, JUDGE. Isn

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