

Hareesh Vs. the State of Kerala

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Court : Kerala

Decided On : Mar-27-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Hareesh

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN THURSDAY, THE 27TH DAY OF MARCH 2014 6TH CHAITHRA, 1936 CrI.MC.No. 1647 of 2014 () ----- SC2572013 of 1ST ADDL.SESIONS COURT, PATHANAMTHITTA CRIME NO. 311/2010 OF KOIPURAM POLICE STATION ----- PETITIONERS/ACCUSED :- ----- 1. HAREESH, AGED 27 YEARS S/O.RAJAPPAN, KALAYIL PADINJATTETHIL PUTHENVEEDU, PULLAD P.O., KOIPURAM VILLAGE, PATHANAMTHITTA DISTRICT, PIN - 689 548.

2. SUNI @ SUNIL, AGED 37 YEARS S/O. KRISHNANKUTTY, KOKKATTU THARAYIL, HOUSE ALAMTHARA, KOIPURAM VILLAGE, PULLADU MURI PATHANAMTHITTA DISTRICT.

3. ANEESH K. RAJAPPAN @ ANEESH, AGED 26 YEARS S/O.RAJAPPAN, KALAYIL PADINJATTETHIL PUTHENVEEDU PULLAD P.O., KOIPURAM

VILLAGE, PATHANAMTHITTA DISTRICT PIN - 689 548.

4. SUKU, AGED35YEARS S/O.THANKAPAN, KALAYIL PADINJATTETHIL PUTHENVEEDU PULLAD P.O., KOIPURAM VILLAGE PATHANAMTHITTA DISTRICT PIN - 689 548. BY ADV. SRI.K.A.SALIL NARAYANAN RESPONDENTS/STATE AND THE DE-FACTO COMPLAINANT & INJURED :-

----- 1. THE STATE OF KERALA (SUB INSPECTOR OF POLICE KOIPURAM POLICE STATION IN CRIME NO.379/2010) REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. SEEJAN @ SREEJAN, AGED42YEARS S/O.NARAYANAN, ANCHUPURAKKAL HOUSE, MARAMANMURI THOTTAPUZHASERRY VILLAGE PATHANAMTHITTA DISTRICT - 689 645.

3. SUNIL, AGED36YEARS S/O.NARAYANAN, ANCHUPURAKKAL HOUSE, MARAMANMURI THOTTAPUZHASERRY VILLAGE, PATHANAMTHITTA DISTRICT. CrI.MC.No. 1647 of 2014 4. SURESH @ SURA, AGED32YEARS S/O.VASU, ANCHUPURAKKAL HOUSE, MARAMANMURI THOTTAPUZHASERRY VILLAGE PATHANAMTHITTA DISTRICT - 689 645.

5. SHAJI, AGED34YEARS S/O.KESAVAN, ANCHUPURAKKAL HOUSE, MARAMANMURI THOTTAPUZHASERRY VILLAGE PATHANAMTHITTA DISTRICT - 689 645. R2-R5 BY ADV. SRI.O.V.MANIPRASAD R1 BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON2703-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: jvt CrI.MC.No. 1647 of 2014 () -----

APPENDIX PETITIONER(S)' EXHIBITS :- ----- ANNEXURE A1 : A TRUE COPY OF THE FIR IN CRIME NO.311/2010 OF KOIPURAM POLICE STATION. ANNEXURE A2 : A TRUE COPY OF THE CHARGE SHEET FILED BY THE1T RESPONDENT AGAINST THE PETITIONERS. ANNEXURE A3 : A TRUE COPY OF THE FIR AND FI STATEMENT IN CRIME NO.379/2010 OF KOIPURAM POLICE STATION. ANNEXURE A4 : A TRUE COPY OF THE CHARGE SHEET IN CRIME NO.379/2010 OF KOIPURAM POLICE STATION. ANNEXURE A5 : THE JOINT AFFIDAVIT SWORN TO BY THE

RESPONDENTS2TO5 RESPONDENT(S)' EXHIBITS :- NIL
----- //TRUE COPY// P.A. TO JUDGE N.K.BALAKRISHNAN,
J.

----- Crl.M.C. No.1647 of 2014 -----
Dated this the 27th day of March 2014

ORDER

Petitioners are the accused in S.C.No.257/2013 pending before First Addl. Sessions Court, Pathanamthitta. The offences alleged against them are punishable under Secs.326 and 308 r/w 34 of IPC. The injured/aggrieved parties are arrayed as respondents 2 to 5. They are represented by their counsel. Annexure A5 - joint affidavit has been filed by respondents 2 to 5 stating that the entire matter has been talked over and amicably settled. There is a counter case pending before CJM Court, Pathanamthitta as C.C.No.166/2010. It is submitted by the learned counsel appearing for both sides that, that case also has been settled out of court. Parties are neighbours and so, in order to maintain harmony and peace, it is just and proper that both cases may be allowed to be disposed of as settled, it is submitted. Hence, in the light of the settlement so arrived at, this Crl.M.C. is allowed. Further proceedings against these petitioners in S.C.No.257/2013 pending before First Addl. Sessions Court, Pathanamthitta is quashed. Sd/- N.K.BALAKRISHNAN, JUDGE. Jvt

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