

Amal Ea vs State of Kerala

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Court : Kerala

Decided On : Apr-08-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/1654/2024

Appellant : Amal Ea

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
MONDAY, THE 8TH DAY OF APRIL 2024 / 19TH CHAITHRA, 1946
CRL.MC NO. 1654 OF 2024 CRIME NO.130/2020 OF VADANAPPALLY
POLICE STATION, THRISSUR AGAINST THE ORDER/JUDGMENT
DATED IN CC NO.3036 OF 2020 OF JUDICIAL MAGISTRATE OF
FIRST CLASS ,CHAVAKKAD PETITIONER/3RD ACCUSED: AMAL EA
AGED 24 YEARS S/O AROMAL, RESIDING AT EACHARAN HOUSE,
VADANAPALLY PO, CHAVAKKAD DISTRICT, PIN - 680614 BY ADVS.
C.R.SANISH KARTHIK S. ACHARYA CISLY GRASHIOUS
RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

1 STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN -
682031 2 SUKUMARI AGED 55 YEARS W/O UNNIKRISHNAN,
RESIDING AT MAYOOR HOUSE, THAMPANKADAVU, THALIKULAM,
THRISSUR DISTRICT, PIN - 680569 BY ADV AMT. NIMA JACOB -
PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME
UP FOR ADMISSION ON 08.04.2024, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:

A. BADHARUDEEN, J.

----- Dated this the 8th day of April,
2024

ORDER

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash Annexure A3 Final Report in C. C. No.3036/2020 on the files of the Judicial First Class Magistrate Court-I, Chavakkad, arose out of the Crime No.130/2020 of the Vandanappally Police Station, Thrissur. Petitioner herein is the third accused in the above case.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the defacto complainant and the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 341, 323, 452, 427 and 506 read with Section 34 of the Indian Penal Code are alleged to have been committed by the accused.

4. The defacto complainant filed Annexure A2 affidavit stating that the dispute has been settled between the parties and no further action is required in this matter.

5. The learned Public Prosecutor submitted that a similar statement of the defacto complainant was recorded by the Police also.

6. In view of the affidavit, there is no meaning in

continuing this case further, to cause hindrance to the peaceful living of parties in the case. Therefore, in the interest of justice, I am inclined to allow this petition. In the result, this petition stands allowed and Annexure A3 Final Report in C. C. No.3036/2020 on the files of the Judicial First Class Magistrate Court-I, Chavakkad, arose out of the Crime No.130/2020 of the Vandanappally Police Station, Thrissur, and the proceedings thereof stand quashed. Sd/- A. BADHARUDEEN JUDGE BR APPENDIX OF CRL.MC 1654/2024 PETITIONERS ANNEXURES Annexure A1 THE TRUE COPY OF THE FIR AND FIS IN CRIME NO. 130/2020 OF VATANAPPALLY POLICE STATION DATED Annexure A2 TRUE COPY OF THE AFFIDAVIT SIGNED BY THE

2ND RESPONDENT/DEFACTO COMPLAINANT IN CRIME NO.130/2020 OF CHAVAKKAD POLICE STATION CHARGE SHEETED AS CC NO.3036/2020 PENDING BEFORE THE HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVAKKAD Annexure A3 THE TRUE COPY OF THE FINAL CHARGE SUBMITTED BY 1ST RESPONDENT BEFORE THE HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT-I, CHAVAKKAD, THRISSUR DISTRICT NUMBERED AS CC 3036/2020 DATED RESPONDENTS ANNEXURES: NIL

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