

Jose vs State of Kerala

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Court : Kerala Orders

Decided On : Oct-30-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/6063/2023

Appellant : JOSE

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
MONDAY, THE 30TH DAY OF OCTOBER 2023 / 8TH KARTHIKA, 1945
CRL.MC NO. 6063 OF 2023 CRIME NO.273/2023 OF Vellarada Police
Station, Thiruvananthapuram PETITIONER/S: JOSE, AGED 40 YEARS
S/O SAROJAM, RESIDING AT MULAMOOTTIL VEEDU, AMBOORI,
KARIKUZHI, NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT,,
PIN - 695505 BY ADVS. J.R.PREM NAVAZ SUMEEN S.
RESPONDENT/S: 1 STATE OF KERALA REPRESENTED PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN -
682031 2 JOBI AGED 34 YEARS, S/O KRISHNANKUTTY, RESIDING
AT KALLIDUKU VEEDU, CHANGADAKADAVU, KOVILLOOR,

AMBOORI, THIRUVANANTHAPURAM DISTRICT, ., PIN - BY ADV
PUBLIC PROSECUTOR OTHER PRESENT: SMT SREEJA V, PP THIS
CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30.10.2023, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING: -2-

P.V.KUNHIKRISHNAN, J.

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Dated this the 30th day of October, 2023

ORDER

The above Crl.M.C is filed to quash the FIR in Crime No.273 of 2023 of Vellarada Police Station, registered for the offences punishable under Sections 447, 294(b), 324, 326, and 307 IPC and Section 27 of the Arms Act. The case is filed to quash the proceedings based on settlement. Since the offence under Section 307 IPC and Section 27 of the Arms Act are added in the final report, this Court cannot quash the proceedings based on settlement at this stage. The case is under investigation. The petitioner is free to approach this Court, if those offences are not included in the final report. Granting liberty to the petitioner to file a fresh Crl.M.C after the final report is filed, this Crl.M.C is closed. sd/- P.V.KUNHIKRISHNAN JUDGE

-3- APPENDIX OF CRL.MC 6063/2023 PETITIONER ANNEXURES
Annexure A1 THE TRUE COPY OF THE FIR IN CRIME NO: 273 OF 2023 OF VELLARADA POLICE STATION, THIRUVANANTHAPURAM DISTRICT DATED 4/3/2023
Annexure A2 AFFIDAVIT FILED BY THE 2ND RESPONDENT DATED 18/7/2023

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