

Thaha vs State of Kerala

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Court : Kerala

Decided On : May-28-2021

Judge : Honourable Mr. Justice Sunil Thomas

Appeal No. : Crl.MC/2323/2020

Appellant : THAHA

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS FRIDAY, THE 28TH DAY OF MAY 2021 / 7TH JYASHTA, 1943 AGAINST THE ORDER IN CRIME NO.2051/2019 OF SASTHAMCOTTA POLICE STATION, KOLLAM PETITIONERS/ACCUSED 1 THAHA,AGED 38 YEARS S/O.ABDUL KARIM, THANNIKKAL KIZHAKKATHIL, EDAVANASEERY, 2 AJMAL @ ABHI,AGED 18 YEARS S/O.THAHA, THANNIKKAL KIZHAKKATHIL, EDAVANASEERY, BY ADVS. SRI. K.SIJU SMT.S.SEETHA, SMT.ANJANA KANNATH ESPONDENTS/STATE & DE-FACTO COMPLAINANT

1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-31. 2 THE

STATION HOUSE OFFICER SASTHAMCOTTA POLICE STATION,
KOLLAM DISTRICT. 3 SHEEBA.M.U,AGED 30 YEARS
W/O.SAJEENDRAN, PUTHUVEETIL VADAKKATHIL,
EDAVANASSERY, 4 SAJEENDRAN,AGED 38 YEARS
S/O.SANTHAMMA, PUTHUVEETIL VADAKKATHIL,
EDAVANASSERY, BY ADV A.MUHAMMED RAFFI PP MAYA M.N

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
28.05.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Petitioners are the accused in Crime No.2051/2019 of Sasthamcotta Police Station for offences punishable under Sections 354, 323, 324, 294(b), 34,451, 506 of IPC and Sections.3(1)(w)(i), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989.

2. The crux of the allegation is that, the

petitioners herein caught hold of th
filed by the respondents 3 and 4.

3. The learned counsel for the respondents 3 and 4 submitted that, her clients have informed that they have voluntarily executed the affidavits and that the statements contained in there are true.

4. The learned Public Prosecutor, on instruction, submitted that the matter has been settled and the petitioners have no criminal antecedents. Having considered the fact that the entire

dispute has been settled to the satisfaction of both sides, I am inclined to invoke the jurisdiction under Section 482 Cr.P.C and to quash the entire criminal proceedings. Crl.M.C. is accordingly allowed. Sd/- SUNIL THOMAS JUDGE hmh
APPENDIX OF CRL.MC 2323/2020 PETITIONER'S EXHIBITS ANNEXURE I THE
CERTIFIED COPY OF FIR WITH FIS IN CRIME NO.2051/2019 OF
SASTHAMCOTTA POLICE STATION.

ANNEXURE 2

THE COPY OF AFFIDAVIT SWORN BY THE 3RD ANN

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