

Ajeesh vs State of Kerala

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Court : Kerala

Decided On : Oct-01-2021

Judge : Honourable Mr. Justice K.Haripal

Appeal No. : Crl.MC/4226/2021

Appellant : Ajeesh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE K.HARIPAL FRIDAY, THE 1ST DAY OF OCTOBER 2021 / 9TH ASWINA, 1943 CRL.MC NO. 4226 OF 2021 (CRIME NO. 273 OF 2021 OF PANTHEERANKAVU POLICE STATION, KOZHIKODE) PETITIONER/ACCUSED: AJEESH AGED 36 YEARS PULPPARAMBIL HOUSE, PULIKKALTHAZHAM, PERUMANNA P. O., KOZHIKODE - 673019. BY ADV NIDHI BALACHANDRAN RESPONDENTS/STATE & DEFACTO COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031. 2 STATION HOUSE OFFICER PANTHEERANKAVU POLICE STATION, KOZHIKODE - 673019. 3 UNNI N S/O. APPU,

NERATTUMMOL HOUSE, PERUMANA P. O., KOZHIKODE - 673019.
BY ADV SABU GEORGE SR.PP - SRI. RENJITH T.R. THIS CRIMINAL
MISC. CASE HAVING COME UP FOR ADMISSION ON 01.10.2021,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Petitioner is the sole accused in Crime No. 273 of 2021 of Pantheerankavu police station, registered on 27.06.2021 alleging offence punishable under Sections 447 and 506 of the IPC.

2. It is alleged that the petitioners have trespassed upon the

residence of the defacto complainant and threatened the complainant, the informant and his wife and thus the crime was registered on the basis of the First Information Statement given by Unni, who is the 3rd respondent in Criminal Miscellaneous Case. Now the petitioner has moved this Court under Section 482 of the Cr.P.C. seeking to quash the proceedings stating that the matter stands settled with the 3rd respondent. In support of the claim Annexure-A2 affidavit of the 3rd respondent also has been produced where he has stated in clear terms that the entire dispute between himself and the petitioner has been settled on the basis of mediation and now no dispute is pending. The offence is rather minor in nature. The learned Senior Public Prosecutor has also confirmed that a settlement has been reached between the parties. In the circumstances there is no purpose in continuing with the investigation of the crime.

3. Even though the learned Senior Public Prosecutor has

stated that later another crime as Crime No. 371 of 2021 has been registered against the petitioner on the similar grounds alleging threat posed against the son-in-law of the defacto complainant. But the learned counsel for the petitioner submits that he is not aware of any such

incident. Whatever it may be, in the light of the averments of the 3rd respondent there is no legal impediment in quashing the proceedings. All further proceedings in crime No. 273 of 2021 of Pantheerankavu police station are here by quashed. The Criminal Miscellaneous Case is allowed as above. Sd/- K. HARIPAL JUDGE RMV/01/10/2021
APPENDIX OF CRL.MC 4226/2021

PETITIONER ANNEXURE Annexure A1 A TRUE COPY OF THE FIR IN CRIME NO.273/2021 OF PANTHEERANKAVU POLICE STATION, KOZHIKODE. Annexure A2 A TRUE COPY OF THE AFFIDAVIT SWORN DATED 30.08.2021 BY THE 3RD RESPONDENT NARRATING THE SETTLEMENT ARRIVED.

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