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**Ratheesh vs State of Kerala**

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**SooperKanoon Citation** : sooperkanoon.com/1798001

**Court** : Kerala

**Decided On :** Jan-31-2020

**Judge** : Honourable Mr. Justice Ashok Menon

**Appeal No.** : Crl.MC/4383/2019

**Appellant** : Ratheesh

**Respondent** : State of Kerala

**Judgement** :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON FRIDAY, THE 31ST DAY OF JANUARY 2020 / 11TH MAGHA, 1941 C.C.NO.914/2017 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT, NJARAKKAL U/S 143, 144, 147, 148, 341, 323, 324, 294(B),

427 R/W 149 IPC PETITIONERS/ACCUSED: 1 RATHEESH, AGED 36 YEARS, SON OF THANKAPPAN, PULICKAL HOUSE, PUTHUVYPU POST, KOCHI- 682 508 2 VANIL, AGED 30 YEARS, SON OF WALTER, MOONUTHENGUNGAL HOUSE, PUTHUVYPU POST, 3 JOSHI, AGED 49 YEARS, SON OF JOSEPH, KANNAYATH HOUSE, PUTHUVYPU POST, 4 SUMESHLAL, AGED 37 YEARS, SON OF SURESH, PARUTHIYEZHATH HOUSE, PUTHUVYPU POST, 5 VARGHESE, AGED 42 YEARS, SON OF VINCENT, KURISINGAL HOUSE,

PUTHUVYPU POST, BY ADV. SMT.MEREENA J JOSEPH RESPONDENTS/COMPLAINANT & DE-FACTO COMPLAINANT:

1 STATE OF KERALA, REPRESENTED BY THE STATION HOUSE,OFFICER, NJARAKKAL POLICE STATION, THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 2 JEMSHID, AGED 32 YEARS, SON OF JALEEL, THOPPIL THANNIPADAM, MANNAM POST, PARAVUR, MANNAM-683 520 R2 BY ADV. DENIZEN KOMATH OTHER PRESENT: SRI.B.JAYASURYA - SR. PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31.01.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

## ORDER

Dat hist he31stdayofJ anuary,2020 The pet iti sar e accused i n C. 2017 on t he fil es of t udi cial Fi str t, Nj ,for havi ng al legedl y commi tted of fencespuni shabl e underSect ions143,144,147, 148,341,323,324,294( b)and 427 r ead wi th Sect ion 149 oft PC. The onl y def act o compl ainant -inj ured i sthe 2nd r espondent who has appear hrough counsel and fil ed af fidavi he ef fect t hat t he mat terhasbeen ami cabl y set tled wi tht he pet iti sand t hathe has no gr ievance agai nst t hem. A r epor hat ef fect has al so been obt ained f rom t nvest igat ing Of ficer . The pet iti s do nothave anycr imi nalant ecedent s.Ther eisnopubl ici nter esti nvol ved. I n t he r esul t,t he Cr l.M. C i s al lowed and t he ent ire pr oceedi ngsasagai nstt hepet iti sinC. 2017ont hefil esof t udi cialFi str t,Nj ,st ands quashed underSect ion482Cr .P. C andt heaccusedar edi schar ged. Sd/- ASHOK M ENON JUDGE NR/ 31/ 01/ APPENDIX PETITIONERS' EXHIBITS: ANNEXURE-A1 TRUE CERTIFIED COPY OF THE FIR IN CRIME NO.761/17 OF 1ST RESPONDENT POLICE STATION ANNEXURE-A2 THE AFFIDAVIT EXECUTED BY 2ND RESPONDENT RESPONDENTS' EXHIBITS: NIL //TRUE COPY// PA TO JUDGE

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