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Babith.T vs Pranav.a

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Court : Kerala

Decided On : Feb-28-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Crl.MC/1329/2019

Appellant : Babith.T

Respondent : Pranav.a

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY ,THE 28TH DAY OF FEBRUARY 2019 / 9TH PHALGUNA, 1940 AGAINST THE ORDER/JUDGMENT IN SC 986/2016 of PINCIPAL S.C.,THALASSERY CRIME NO. 395/2016 OF Edakkad Police Station , Kannur PETITIONERS/ ACCUSED Nos. 1 TO 5

1 BABITH.T, AGED 25 YEARS S/O. BABU T, ERANHIKKAL PARAMMAL HOUSE, P.O. KIZHUNNA, KANNUR-670007 2 RANJITH K V, AGED 42 YEARS S/O KUMARAN, KUNDU VALAPPIL HOUSE, 3 DHANESH P, AGED 24 YEARS S/O DASAN P, PACHIRIYAN HOUSE, 4 SREENATH C, AGED 25 YEARS S/O NARAYANAN, SREENILAYAM,

5 ABHIJITH P.K, AGED 23 YEARS S/O ANILKUMAR, SHIVAM P.O., THOTTADA, KANNUR-670007. BY ADV. SRI.R.SREEHARI

RESPONDENTS / DEFACTO-COMPLAINANT 1 PRANAV.A, AGED 23 YEARS S/O PRAKASHAN, KUNDU VALAPPIL, 2 STATE OF KERALA REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682031. BY ADV. SRI.K.RAJESH SUKUMARAN SMT.V.SREEJA,PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28.02.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -2-

ORDER

The petitioners are the accused in S.C.No.986/2016 on the files of the court below. The offences alleged are punishable under Sections 143, 147, 148, 341, 323, 326 and 308 read with Section 149 IPC.

2. The 1st respondent is the injured, who filed affidavit stating that the matter has been settled and hence he has no further grievance against the petitioners. The learned Public Prosecutor, on instructions, has submitted that the matter has been settled by the parties.

3. Having heard the learned counsel for respondent No.1, I am satisfied that the respondent No.1 filed affidavit voluntarily. It appears that the offences alleged are personal in nature, having no public interest. -3- In the said circumstances, since the matter has been settled, I am inclined to quash the final report and further proceedings against the petitioners in the above said case, in exercise of the inherent power under Section 482 Cr.P.C., to meet the ends of justice. It is ordered accordingly.

In the result, this Crl.M.C. stands allowed. Sd/- B.SUDHEENDRA KUMAR JUDGE nkr/28.02.19 -4- APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE A1 SERVED COPY OF THE F.I.R IN CRIME NO. ALONG WITH THE FIRST INFORMATION STATEMENT GIVEN BY THE IST RESPONDENT, DEFACTO-COMPLAINANT. ANNEXURE A2 SERVED COPY OF THE FINAL REPORT ALONG WITH THE CHARGE SHEET IN CRIME BEFORE THE A.C.J.M COURT,

THALASSERY. ANNEXURE A3 SWORN AFFIDAVIT OF THE 1ST 23.01.2019. ANNEXURE A4 SWORN AFFIDAVIT OF THE 1ST 26.02.2019. RESPONDENTS EXHIBITS : NIL //True Copy// P.A.to Judge

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