

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 5TH DAY OF OCTOBER 2023 / 13TH ASWINA, 1945

CRL.MC NO. 298 OF 2023

AGAINST THE ORDER/JUDGMENT CC 115/2021 OF JUDICIAL MAGISTRATE OF
FIRST CLASS -II, PATHANAMTHITTA

PETITIONERS/ACCUSED NO.1 & 2:

- 1 JOBIN JOSEPH
 AGED 30 YEARS
 S/O. JOSEPH, PARAMUKOODIYIL, AMBALAKADAVU,
 CHENNEERKARA P.O. CHENNEERKARA VILLAGE, PATHANAMTHITTA
 DISTRICT, PIN - 689503
- 2 SAJU
 AGED 30 YEARS
 S/O. BABU, SAJI MULLANVATHUKAL KIZHAKKEKARA VEEDU,
 ELAVUMTHITTA, ELAVUMTHITTA P.O., MEZHUVELI VILLAGE,
 PATHANAMTHITTA, PIN - 689641

 BY ADVS.
 K.SHAJ
 ARUN CHAND
 VINAYAK G MENON
 BHARAT VIJAY P.
 MINU VITTORRIA PAULSON
 MAJID MUHAMMED K.

RESPONDENTS/STATE/DE-FACTO COMPLAINANT:

- 1 STATE OF KERALA
 REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
 PIN - 682031
- 2 THE STATION HOUSE OFFICER, ELAVUMTHITTA POLICE STATION
 PATHANAMTHITTA, KERALA, PIN - 689507
- 3 KALADHARAN PILLAI
 AGED 53 YEARS
 PARAMESHWARAN PILLAI, VAYAKKAPADINJATTETHIL VEEDU,
 AMBALAKADAVU, THAZHAM THUMPAMON P.O., MEZHUVELI
 VILLAGE, PATHANAMTHITTA DISTRICT, PIN - 689625

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BY ADVS.
SRI.ABHIJITH K.B

SRI.M.P PRASANTH, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR
ADMISSION ON 05.10.2023, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

Crl.M.C.No.298 of 2023

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P.V.KUNHIKRISHNAN, J.

Crl.M.C.No.298 of 2023

Dated this the 05th day of October, 2023

ORDER

This Criminal Miscellaneous Case is filed to quash the proceedings in C.C.No.115/2021 on the file of the Judicial First Class Magistrate Court - II, Pathanamthitta based on a settlement.

2. The learned Public Prosecutor submitted that there is criminal antecedents to the petitioners and one of the accused is involved in an NDPS case.

3. In the light of the above submission, the case can not be quashed based on a settlement. But there can be a direction to the trial court to dispose of the case expeditiously.

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Therefore, this Criminal Miscellaneous Case is disposed of directing the Judicial First Class Magistrate Court – II, Pathanamthitta to dispose of C.C.No.115/2021 as expeditiously as possible.

Sd/-

**P.V.KUNHIKRISHNAN
JUDGE**

nvj

APPENDIX OF CRL.MC 298/2023**PETITIONER ANNEXURES**

- ANNEXURE A1 THE CERTIFIED COPY OF THE F.I.R.
IN CRIME NO. 1077/2020 OF
ELAVUMTHITTA POLICE STATION,
PATHANAMTHITTA DISTRICT.
- ANNEXURE A2 THE CERTIFIED COPY OF THE FINAL
REPORT IN C.C. NO. 115/2021
PENDING BEFORE THE FILES OF THE
JUDICIAL FIRST CLASS MAGISTRATE
COURT- II, PATHANAMTHITTA.
- ANNEXURE A3 AN AFFIDAVIT SWORN BY THE 3RD
RESPONDENT/ DE-FACTO COMPLAINANT
STATING THE SETTLEMENT OF ALL THE
DISPUTES WITH THE PETITIONERS
HEREIN PERTAINING TO THE
REGISTRATION OF ANNEXURE A1 CRIME.

RESPONDENTS EXHIBITS :NIL

//TRUE COPY// PA TO JUDGE