



2025:KER:802

CRL.MC NO. 10641 OF 2023

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

TUESDAY, THE 7<sup>TH</sup> DAY OF JANUARY 2025 / 17TH POUSHA, 1946

CRL.MC NO. 10641 OF 2023

CRIME NO.747/2023 OF WADAKKANCHERY POLICE STATION, THRISSUR

PETITIONERS:

- 1 GOKUL R.  
AGED 31 YEARS  
S/O. RAJENDRAN NAIR SREERANGAM HOUSE,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 2 MOBIN  
AGED 33 YEARS  
S/O. THOMAS, PALAKANDATHIL HOUSE,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 3 AMAL MATHEW  
AGED 26 YEARS  
S/O. REJI MATHAI, PLAKKUZHIYIL HOUSE,  
THRIKOTHAMANGALAM VILLAGE,  
KOTTAYAM, PIN - 686011
- 4 SUNILKUMAR  
AGED 46 YEARS  
S/O. SUKUMARAN PANOOR VEEDU,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 5 AJESH P. BALAKRISHNAN  
AGED 38 YEARS  
S/O. BALAKRISHNAN PARAMATTOM VEEDU,  
VELLOOR DESOM, PAMBADI AMSOM,



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KOTTAYAM, PIN - 686501

- 6 VINOD  
AGED 41 YEARS  
S/O. DAMODARAN VARAVUKALAYIL VEEDU,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 7 RENEESH MOHAN  
AGED 36 YEARS  
S/O. MOHANAN MUTHELIKKAL VEEDU,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 8 AJAYAKUMAR @KANNAN  
AGED 33 YEARS  
S/O. VENUGOPAL CHITHRA BHAVAN HOUSE,  
VELLOOR DESOM, PAMBADI AMSOM,  
KOTTAYAM, PIN - 686501
- 9 BINOY D.  
AGED 46 YEARS  
S/O. DEVASIA PUTHANPARAMBIL HOUSE,  
PARAMPUZHA P.O, KOTTAYAM, PIN - 686004
- 10 SAFAL  
AGED 29 YEARS  
S/O. PHILIP ZACHARIA KOTTAMURIKKAL HOUSE,  
THIRUVANCHOOR P.O KOTTAYAM, PIN - 686019

BY ADVS.  
NIKITA J. MENDEZ  
P.M.RAFIQ  
M.REVIKRISHNAN  
AJEESH K.SASI  
SRUTHY N. BHAT  
RAHUL SUNIL  
SRUTHY K.K



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**RESPONDENTS:**

- 1      **STATE OF KERALA**  
**REPRESENTED BY PUBLIC PROSECUTOR,**  
**HIGH COURT OF KERALA, PIN - 682031**
  
  - 2      **LIBIN P.P.**  
**AGED 38 YEARS**  
**S/O. PARAMESWARAN PULIYAKKATTIL HOUSE,**  
**MADHAMMA THOPE, NEDUPUZHA THRISSUR, PIN - 680015**
  
  - 3      **GANESH JAYAKUMAR**  
**AGED 32 YEARS**  
**S/O. JAYAKUMAR, 'SREEVESHMAM',**  
**THIRUMULLAVARAM, KOLLAM, PIN - 691012**
- BY ADVS**  
**T.B.MINI**  
**SRI. C.S.HRITHWIK, SR.PP.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION**  
**ON 07.01.2025, THE COURT ON THE SAME DAY PASSED THE**  
**FOLLOWING:**

**ORDER**

The petitioners are accused Nos.1 to 10 in Crime No.747 of 2023 registered at the Wadakkanchery Police Station for offences punishable under Sections 347 and 364-A read with Section 34 of the Indian Penal Code.

2. The crime was registered on the allegation that, on 16.09.2023, at about 8:30 PM, petitioners allegedly confined and abducted respondents 2 and 3 at Lakeview Resort, Poomala, demanding a ransom of Rs. 2.5 crores.

3. Learned Counsel for the petitioners submitted that the dispute, which led to the incident and registration of the crime, is amicably settled and Annexures 2, 3, 5 and 6 affidavits have been filed by respondents 2 and 3, vouching this fact.

4. Learned Counsel for respondents 2 and 3 also submitted that the dispute is settled and his clients have no grievance against the petitioners.

5. I heard the learned Public Prosecutor also.



6. Having considered the gravity of the offences alleged and having perused the affidavits, the contents of which are vouched to be true and voluntary by the Counsel for respondents 2 and 3, I am satisfied that no public interest is involved in this matter and the dispute has been settled amicably. In view of the settlement, there is no possibility of the criminal proceedings ending in conviction. As such, continuance of the proceedings will amount to an abuse of process of court and hence, in view of the legal position set out by the Honourable Supreme Court in **Madan Mohan Abbot v State of Punjab** [(2008) 4 SCC 582] and **Gian Singh v State of Punjab and Another** [(2012) 10 SCC 303], there is no impediment in granting the relief.

In the result, this Crl.M.C is allowed. Annexure 1 FIR and all further proceedings in Crime No. 747 of 2023 of Wadakkanchery Police Station, as against the petitioners, is quashed.

Sd/-  
**V.G.ARUN**  
**JUDGE**

SPV

**APPENDIX OF CRL.MC 10641/2023****PETITIONERS' ANNEXURES**

- ANNEXURE 1** TRUE COPY OF THE FIR ALONG WITH THE FIS IN CRIME NO.747 OF 2023, WADAKKANCHERY POLICE STATION
- ANNEXURE 2** TRUE COPY OF THE AFFIDAVIT DATED 05-10-2023, SWORN IN BY THE 2ND RESPONDENT STATING THE FACTUM OF SETTLEMENT BEFORE THE SESSIONS COURT, THRISSUR
- ANNEXURE 3** TRUE COPY OF THE AFFIDAVIT DATED 05-10-2023, SWORN IN BY THE 3RD RESPONDENT STATING THE FACTUM OF SETTLEMENT BEFORE THE SESSIONS COURT, THRISSUR
- ANNEXURE 4** TRUE COPY OF THE ORDER DATED 09-10-2023 IN CRL. M. C. NO. 1462 OF 2023 OF THE SESSIONS COURT, THRISSUR
- ANNEXURE 5** TRUE COPY OF THE AFFIDAVIT DATED 05-10-2023, SWORN IN BY THE 2ND RESPONDENT STATING THE FACTUM OF SETTLEMENT BEFORE THE SESSIONS COURT, THRISSUR
- ANNEXURE 6** TRUE COPY OF THE AFFIDAVIT DATED 05-10-2023, SWORN IN BY THE 2ND RESPONDENT STATING THE FACTUM OF SETTLEMENT BEFORE THE SESSIONS COURT, THRISSUR
- ANNEXURE 7** TRUE COPY OF THE ORDER DATED 21-10-2023 IN CRL. M. C. NO. 1565 OF 2023 OF THE SESSIONS COURT, THRISSUR

**RESPONDENTS' ANNEXURES**

- ANNEXURE-R2 (A)** TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT IN THE CRL.M.C. DATED 15-5-2024



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**ANNEXURE-R2 (B)**

**TRUE COPY OF THE AFFIDAVIT OF THE 3RD  
RESPONDENT IN THE CRL.M.C. DATED 15-5-  
2024**

**ANNEXURE-R2 (C)**

**TRUE COPY OF THE AFFIDAVIT OF THE  
DEFACTO COMPLAINANT IN THE CASE GAUTHAM  
KRISHNAN DATED 17-5-2024**

**//TRUE COPY//**

**PA TO JUDGE**