



2025:KER:14402

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

FRIDAY, THE 14TH DAY OF FEBRUARY 2025 / 25TH MAGHA, 1946

CRL.MC NO. 921 OF 2025

CRIME NO.61/2008 OF Venjaramoodu Police Station,

Thiruvananthapuram

IN CC NO.560 OF 2022 OF JUDICIAL MAGISTRATE OF FIRST CLASS -

I, NEDUMANGAD

PETITIONER/ACCUSED NO.4:

FENI @ FENI RAVEENDRAN, S/O RAVEENDRAN,
AGED 38 YEARS
BEENA SADANAM, NEAR LPS, THALIKUZHI, THALIKUZHI
DESOM, PULIMATHU VILLAGE, THIRUVANANTHAPURAM, PIN -
695612
BY ADV M.R.SARIN

RESPONDENTS/STATE/DEFACTO COMPLAINANT:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
PIN - 682031
- 2 THE STATION HOUSE OFFICER,
VENJARAMOODU POLICE STATION, THIRUVANANTHAPURAM, PIN -
695607
- 3 DINESH KUMAR.P.I,
AGED 35 YEARS
S/O J. PARAMESWARAN NAIR, THENGUVILAKATHU VEEDU, SIVA
TEMPLE, BHARATHANNOOR.P.O, PANGODE, THIRUVANANTHAPURAM,
PIN - 695609
BY ADV PARVATHI KRISHNA
SRI. M.C. ASHI, PP.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
14.02.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



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ORDER

Dated this the 14th day of February, 2025

Petitioner is the 4th accused in Crime No.61 of 2008 registered at the Venjaramoodu Police Station for offences punishable under Sections 323, 324, 294(b) and 326 r/w Section 34 of IPC, now pending as C.C. No.560 of 2022 on the files of the Judicial First Class Magistrate Court-I, Nedumangad.

2. The crime is registered on the allegation that at about 04:30 p.m. on 02.02.2008, the accused restrained the defacto complainant, physically assaulted and verbally abused him, while he was going to Karette from Venjaramoodu by motorcycle.

3. Learned Counsel for the petitioner submitted that the dispute, which led to the incident and registration of the crime, is amicably settled between



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the parties and Annexure A4 affidavit has been filed by the 3rd respondent, vouching this fact.

4. Learned Counsel for the 3rd respondent also submitted that the dispute is settled and her client has no grievance against the petitioner.

5. I heard the learned Public Prosecutor also.

6. Having considered the gravity of the offences alleged and having perused the affidavit, contents of which is vouched to be true and voluntary by the Counsel for the 3rd respondent, 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



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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 A2 final report and all further proceedings in Crime No.61 of 2008 registered at the Venjaramoodu Police Station, now pending as C.C. No.560 of 2022 on the files of the Judicial First Class Magistrate Court-I, Nedumangad, as against the petitioner, is quashed.

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

SSK/14/02



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APPENDIX OF CRL.MC 921/2025

PETITIONER ANNEXURES

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| Annexure A1 | THE CERTIFIED COPY OF THE F.I.R IN CRIME NO 61/2008 OF VENJARAMOODU POLICE STATION, THIRUVANANTHAPURAM |
| Annexure A2 | THE CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO 61/2008 OF VENJARAMOODU POLICE STATION AS CC NO 449/2008 BEFORE THE JUDICIAL FIRST-CLASS MAGISTRATE COURT I, NEDUMANAGAD |
| Annexure A3 | THE CERTIFIED COPY OF THE JUDGEMENT IN CC NO 449/2008 BEFORE THE JUDICIAL FIRST-CLASS MAGISTRATE COURT I, NEDUMANGAD DATED 30.09.2022 |
| Annexure A4 | THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT |

RESPONDENTS EXHIBITS : NIL

TRUE COPY

P.A. TO JUDGE