



2026:KER:52275

CRL.MC NO. 5121 OF 2026

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

WEDNESDAY, THE 15TH DAY OF JULY 2026 / 24TH ASHADHA, 1948

CRL.MC NO. 5121 OF 2026

CRIME NO.656/2013 OF Konni Police Station, Pathanamthitta

AGAINST THE ORDER/JUDGMENT DATED IN CC NO.400 OF 2013 OF
JUDICIAL MAGISTRATE OF FIRST CLASS -II, PATHANAMTHITTA

PETITIONER/ACCUSED NO.3:

TENNY JOPPEN,
AGED 52 YEARS
S/O. JOPPEN, MANKARAKAVIL HOUSE, VENDAR MURI,
POOVATHUR VILLAGE, KOTTARAKKARA
TALUK, PATHANAMTHITTA DISTRICT, PIN - 689531

BY ADV SMT.SONIYA.M

RESPONDENTS/STATE AND DE FACTO COMPLAINANT:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 SREEDHARAN NAIR,
AGED 77 YEARS
S/O RAGHAVAN PILLA, MALLALEIL HOUSE, KONNITHAZHAM,
ATTACHAL, KOZANCHERRY TALUK, PATHANAMTHITTA
DISTRICT, PIN - 689641

BY ADV SHRI.P.SAJU
PP SRI. DEVADAS H. MALLAN



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THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
15.07.2026, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



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ORDER**Dated this the 15th day of July, 2026**

The petitioner is the 3rd accused in C.C.No.400/2013 on the file of the Court of the Judicial First Class Magistrate-II, Pathanamthitta (Trial Court), which has arisen from Crime No.656/2013 registered by the Konni Police Station, Pathanamthitta, alleging the commission of the offences punishable under Sections 406, 419, 420 and 201 r/w Section 34 of the Indian Penal Code.

2. The petitioner has invoked the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to quash all further proceedings in the above case. It is asserted that the dispute that led to the registration of the crime has been amicably settled between the petitioner and the second respondent, who has executed an affidavit dated 06.07.2026, affirming the settlement.



3. I have heard the learned Counsel appearing for the petitioner, the learned Public Prosecutor, and the learned Counsel for the second respondent.

4. The learned counsel on either side submits that, with the intervention of relatives and well-wishers, the parties have resolved their disputes amicably. The second respondent has no subsisting grievance and does not wish to pursue the prosecution, and has no objection to the proceedings being quashed.

5. The learned Public Prosecutor, on instructions, submits that the Investigating Officer has reported that the parties have arrived at a genuine and bona fide settlement. The State has no objection to the Criminal Miscellaneous case being allowed.

6. The scope and ambit of the inherent powers of this Court to quash criminal proceedings on the ground of settlement between the parties have been authoritatively



laid down by Hon'ble Supreme Court, in **Gian Singh v. State of Punjab** [(2012) 10 SCC 303], **State of Madhya Pradesh v. Laxmi Narayan and Others** [(2019) 5 SCC 688], **Naushey Ali v. State of U.P.** [(2025) 4 SCC 78], and in a host of judicial pronouncements. It is held that in cases where the offences are not grave or heinous, and where the parties have amicably settled the dispute, to secure the ends of justice, the High Court may invoke its inherent powers to quash the proceedings, particularly if continuation of the prosecution would serve no fruitful purpose.

7. On an overall consideration of the facts and circumstances of the present case, and the materials on record, I am satisfied that: the offences alleged are not heinous or of a serious nature; no public interest or element of societal concern is involved; the chances of conviction are remote in view of the settlement; and the continuation of the proceedings would merely burden the



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judicial process without advancing the cause of justice. Furthermore, the settlement would promote harmony between the parties and restore peace. Hence, this Court is persuaded to hold that this is a fit case to exercise its inherent jurisdiction.

In the result, the Crl. M.C. is allowed. Accordingly, Annexure 1 final report and all further proceedings in C.C. No. 400/2013 of the Trial Court, as against the petitioner, are hereby quashed.

Sd/-

C.S.DIAS, JUDGE



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APPENDIX OF CRL.MC NO. 5121 OF 2026

PETITIONER ANNEXURES

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| Annexure-1. | THE CERTIFIED COPY OF THE FINAL REPORT
AND CHARGE SHEET IN CRIME NO. 656/2013 OF
KONNI POLICE STATION |
| Annexure 2 | TRUE COPY OF THE FIR IN CRIME NO.
656/2013 DATED 14/06/2013 OF KONNY POLICE
STATION |
| Annexure 3 | TRUE COPY OF THE ORDER DATED 12/08/2024
PASSED BY THIS HON'BLE COURT IN CRL.M.C.
NO. 2376/2017 |