

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

Crl.MC.No. 567 of 2015 ()

SC.NO. 474/2014 OF DISTRICT & SESSIONS COURT, KASARAGOD

PETITIONER(S)/ACCUSED:

- 1. ABHILASH RAYAROTH, S/O.ASOKAN, AGED 29 YEARS,
RESIDING AT RAYAROTH HOUSE, CHAL,
P.O.AZHIKKODE, KANNUR DISTRICT-670 009.**
- 2. DHANISHA T.P., D/O.T.P.NARAYANAN, AGED 18 YEARS,
SREEDHANI, VALAPATTANAM, VALAPATTANAM P.O.,
KANNUR DISTRICT-670 010,
RESIDING AT RAYAROTH HOUSE, CHAL, P.O.AZHIKKODE,
KANNUR DISTRICT-670 009.**

BY ADV. SRI.P.M.PAREETH

RESPONDENT(S)/COMPLAINANT & STATE :

- 1. STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
HOSDURG POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. T.P. PARVATHY,
NAGERI ILLAM, PUDUKKAI P.O., NEELESWARAM,
KASARAGOD DISTRICT-671 314.**
- 3. YAMUNA V.I.,
VADAKKE ILLAM, THIRUVANCHIRAKKAVU,
P.O.KUTHUPARAMBA, KANNUR DISTRICT-670 643.**

R1 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEX-A1. A TRUE COPIES OF THE MARRIAGE CERTIFICATE DATED 12/3/2014
ISSUED BY THE AZHIKKAL SREE PAMPADIYAL TEMPLE.
- ANNEX-A2. A TRUE COPIES OF THE CERTIFICATE OF MARRIAGE DATED 12/3/2014
ISSUED BY THE REGISTRAR OF MARRIAGES AZHIKODE GRAMA
PANCHAYATH UNDER KERALA REGISTRATION OF MARRIAGE
(COMMON RULE) 2008.
- ANNEX-A2(A). A TRUE PHOTOCOPY OF THE S S L C IN RESPECT OF THE 2ND
PETITIONER TO PROVE DATE OF BIRTH
- ANNEX-A3. A CERTIFIED COPY OF THE FIR NO.1258/2013 DATED 17/10/2013 OF
HOSDURG POLICE STATION.
- ANNEX-A4. A CERTIFIED COPY OF THE FINAL REPORT AND CHARGE DATED
31/12/2013.

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

B.KEMAL PASHA, J.

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Crl.M.C. No. 567 of 2015

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Dated this the 19th day of February, 2015

ORDER

The accused in Sessions Case No.474/2014 of the Sessions Court, Kasargod, which has arisen from Crime No.1258/2013 of the Hosdurg Police Station, and the victim girl, who is the second petitioner herein, have come up under Section 482 Cr.P.C., to get all the proceedings against the accused in the said Sessions Case, quashed. The said Crime was registered for the offence under Section 363 IPC and Sessions Case is pending for the said offence.

2. The prosecution case is that on 17.10.2013 at 10.30 a.m., he had enticed a 17 year old girl, who was in the care and custody of the de facto complainant and took her away, thereby committing an offence punishable under Section 363 of the Indian Penal Code. Presently, the first petitioner has married the second petitioner, who is the victim girl and they are living peacefully as husband and wife. Copy of the certificate of marriage has been produced which shows that

the marriage was conducted on 12.3.2014. When they have been lawfully married, it is just and proper in the interest of justice to quash the entire proceedings in S.C.No.474/2014 of the Sessions Court, Kasargod.

In the result, this Crl.M.C is allowed and Annexure-A3 FIR in Crime No.1258/2013 of the Hosdurg Police Station and Annexure-A4 Final Report against the first petitioner, and all further proceedings in S.C No.474/2014 of the Sessions Court, Kasargod, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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//True copy//

P.A to Judge