

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 26TH DAY OF FEBRUARY 2014/7TH PHALGUNA, 1935

Cr1.MC.No. 697 of 2015 ()

CRIME NO. 2071/2014 OF ANGAMALY POLICE STATION, ERNAKULAM

PETITIONERS/ACCUSED:

1. PRAVEEN, AGED 30 YEARS,
S/O.THOMAS, ARAKKAL HOUSE, CHAMBANNOOR,
ANGAMALY VILLAGE, ALUVA TALUK. (A1).

2. PRAMOD, AGED 27 YEARS,
S/O.THOMAS, ARAKKAL HOUSE, CHAMBANNOOR,
ANGAMALY VILLAGE, ALUVA TALUK. (A2).

BY ADV. SRI.K.P.SURAJ

RESPONDENTS/COMPLAINANTS:

1. STATE OF KERALA,
REP.BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. MARTIN, AGED 43 YEARS,
S/O.ANTONY, KIRIYANTHAN HOUSE, CHEMBANNOOR KARA,
ANGAMALY.

3. LILLY, AGED 35 YEARS,
W/O.MARTIN, KIRIYANTHAN HOUSE, CHEMBANNOOR KARA,
ANGAMALY.

R1 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS
R2 & R3 BY ADV. SRI. RAJEEV K.S.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-02-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Cr1.MC.No. 697 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE-A: CERTIFIED COPY OF FIR IN CR.NO.2071/14 OF ANGAMALY
POLICE STATION.

ANNEXURE-B: FI STATEMENT.

ANNEXURE-C: AFFIDAVIT OF RESPONDENT NO.2.

ANNEXURE-D: AFFIDAVIT OF RESPONDENT NO.3.

RESPONDENTS' ANNEXURES :

NIL

// True Copy //

P.A. To Judge

DSV/26/2/15

B.KEMAL PASHA, J.

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Crl.M.C. No.697 of 2015

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Dated this the 26th day of February, 2015

ORDER

Petitioners are accused in Crime No.2071 of 2014 of the Angamaly Police Station, registered for the offences under Sections 323, 324, 354 and 427 read with Section 34 of the Indian Penal Code.

2. The allegation against the petitioners is that on 28.07.2014 at 8.00 a.m., they pushed down the defacto complainant and the 2nd petitioner slapped on his cheek. On seeing it, when the wife of the defacto complainant Lilly intervened, the 2nd petitioner caught hold of her hair, thereby outraging her modesty. It is also alleged that the 2nd petitioner beat the defacto complainant with a stick and both the petitioners kicked and stamped the defacto complainant.

3. According to the petitioners, the matter has been amicably settled between them and the defacto complainant

and his wife and presently the defacto complainant and his wife have no complaints against them.

4. The defacto complainant and his wife Lilly have entered appearance and filed detailed affidavits affirming that the matter has been amicably settled between them and the petitioners. Therefore, they have no complaints against the petitioners. Considering the settlement arrived at between the parties, this Court is of the view that this Crl.M.C. can be allowed by quashing Annexure-A First Information Report and all further proceedings in Crime No.2071 of 2014 of the Angamaly Police Station.

In the result this Crl.M.C. is allowed and Annexure-A First Information Report and all further proceedings in Crime No.2071 of 2014 of the Angamaly Police Station are hereby quashed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/26/2/15

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P.A. To Judge

Crl.M.C.No.697 of 2015

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