

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

Crl.MC.No. 888 of 2015

**C.C.NO. 1473/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT- III, PUNALUR,
KOLLAM DISTRICT**

CRIME NO. 645/2012 OF PATHANAPURAM POLICE STATION , KOLLAM

PETITIONER(S)/ACCUSED :

**SHIHAB, AGED 36 YEARS,
S/O.ABDUL REHUMAN RAVUTHAR,
RESIDING AT THAZLY MANZIL, KUZHIKKADU,
PATHIRIKKAL MURIVILAYIL, PATHANAPURAM, PUNALUR,
KOLLAM DISTRICT.**

BY ADV. SRI.V.A.AJIVAS

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
PATHANAPURAM POLICE STATION,
KOLLAM THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. LEKSHMIKUTTY AMMA, AGED 65 YEARS,
RESIDING AT KANNAL PURUMPOKKU, VAZAPPARADESAM,
NEDUPARAMPUMURI, PATHANAPURAM VILLAGE,
KOLLAM DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU.P.THOMAS
R2 BY ADV. SMT.M.MANJU (KADAKKAL)**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 12-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1: CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.645/2012
 OF PATHANAPURAM POLICE STATION.**

ANNEXURE A2: AFFIDAVIT FILED BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

.....
CRL. M.C. No.888 of 2015
.....

Dated this the 12th day of March, 2015

ORDER

Petitioner, who is the accused in C.C.No.1473/2012 on the file of the Judicial First Class Magistrate's Court-III, Punalur, which has arisen from Crime No.645/12 of the Pathanapuram Police Station, for the offences punishable under Sections 451, 506(i), 323 and 354 of the Indian Penal Code, has come up under Section 482 Cr.P.C. for getting Annexure A1 final report in Crime No.645/12 and the consequent proceedings against him in C.C.No.1473/12, quashed.

2. The prosecution case is that on 05.06.2012 at 7 p.m., the petitioner trespassed into the property of the defacto complainant woman, caught hold of her and

intimidated her by threatening her with death, and he outraged the modesty of the defacto complainant.

3. Heard both sides.

4. According to the petitioner, the matter has been amicably settled between him and the petitioner and presently the defacto complainant, who is the 2nd respondent herein, has no complaints against the petitioner. The second respondent has entered appearance and filed an affidavit stating that the matter has been amicably settled between her and the petitioner and therefore, she has no complaints against the petitioner at present. The learned counsel for the second respondent submits that the affidavit has been sworn in by the second respondent on her own volition. When the matter has been amicably settled between the parties, who are neighbours, I am of the view that all the proceedings in Annexure A1 final report in the said crime and the consequent proceedings in the aforesaid case, can be quashed, in the interest of justice.

In the result, this Crl.M.C. is allowed and Annexure A1 final report and all further proceedings in Crime No.645/12 of the Pathanapuram Police Station and the consequent proceedings against him in C.C.No.1473/12 of the Judicial First Class Magistrate's Court-III, Punalur, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge