

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

CrI.MC.No. 1118 of 2015 ()

CRIME NO. 770/2014 OF PERUMPETTY POLICE STATION,PATHANAMTHITTA DISTRICT

PETITIONER/PETITIONER :

**SREEDHARA PANICKER @ GOPI,
ONNUMKALLIL HOUSE, EZHUMATTOOR P.O.,
THIRUVALLA.**

**BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN**

RESPONDENT(S)/STATE, COMPLAINANT & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI -682 031**
- 2. SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION, PIN- 689 101**
- 3. VALSAMMA, AGED 50 YEARS,
W/O.RAJENDRAN, OONNUKALLIL HOUSE, MAKKADU,
EZHUMATTOOR VILLAGE, PATHANAMTHITTA -689 645**

**R1 & R2 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS
R3 BY ADV. SRI.JOSEPH RONY JOSE**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 1118 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX 1: TRUE COPY OF THE FIR AND FIS DATED 20.11.2014 IN FIR NO.770/2014
OF PERUMPETTY POLICE STATION.**

ANNEX 2: AFFIDAVIT OF THE 3RD RESPONDENT DATED 02.02.2015

ANNEX 3: TRUE COPY OF THE RECEIPT DATED 02.02.2015

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.S.TO.JUDGE

sts

B.KEMAL PASHA, J.

.....
CRL. M.C. No.1118 of 2015
.....

Dated this the 24th day of March, 2015

ORDER

The accused in Crime No.770/2014 of Perumpetty Police Station, Pathanamthitta, registered for the offences punishable under Sections 452, 354, 294(b), 324, 323, 427 and 506(i) of the Indian Penal Code, has come up under Section 482 Cr.P.C. for getting Annexure-1 FIR in the said crime, quashed.

2. The allegation against the petitioner is that on 18.11.2014 at 5 p.m. he trespassed into the work area of the house of the defacto complainant woman, wherein she was having her food and he abused her in filthy language, beat on her head with a stick, and pushed her down and intimidated her thereby outraging her modesty. He has

smashed and damaged the vessels, grills as well as the sheet of that portion of the house thereby causing a wrongful loss of Rs.5,000/- to the defacto complainant.

3. According to the petitioner, the matter has been amicably settled between the petitioner and the defacto complainant and presently the defacto complainant has no complaints against him. It is also alleged that sufficient compensation has also been paid to the defacto complainant.

4. Heard learned counsel for the petitioner, learned counsel for the defacto complainant and the learned Public Prosecutor.

5. The defacto complainant has entered appearance and filed an affidavit affirming that she has received an amount of Rs.25,000/- as compensation from the petitioner and the matter has been amicably settled between her and the petitioner and presently, she has no complaints against the petitioner.

6. The parties are neighbours and the matter has been amicably settled between the parties. For continuing a healthy relationship between the parties, this Court is of the view that it is only just and proper in the interest of justice to quash Annexure-1 FIR referred to above against the petitioner.

In the result, this Crl.M.C. is allowed and Annexure-A1 FIR in Crime No.770/2014 of Perumpetty Police Station, Pathanamthitta, is hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge