

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936**

**Crl.MC.No. 1166 of 2015 ()**

**CC. NO.932/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-V, KOZHIKODE.**

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**PETITIONERS/ACCUSED :**

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- 1. PRAVEEN. M., S/O. PREMANANDAN,  
MANATT HOUSE, CHERUKULATHIL PARAMBU,  
OLAVANNA, KOZHIKODE DISTRICT.**
- 2. ARUN M.K., S/O. SASIDHARAN,  
MANNUKAVIL HOUSE, KOLOTH PARAMBU MEETHAL,  
GURUVAYOORAPPAN COLLEGE P.O., KOZHIKODE.**

**BY ADV. SMT.V.PSATHI.**

**RESPONDENTS/DEFACTO COMPLAINANT & STATE :**

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- 1. SAJINI, W/O. MOHANAN, AGED 47 YEARS,  
KANHOLI NIVAS, KORAMBRANDY PARAMBA,  
CHELANNUR P.O., CHALAPPRAM ROAD, KOZHIKODE-673 616.**
- 2. MINUJA , W/O. PRAJEESH, AGED 26 YEARS,  
KALLUMPURATH, 'SANTHI NIVAS',  
KORAPPUZHA P.O., VENGALAM, KOZHIKODE-673 303.**
- 3. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, KOCHI-682 031.**

**R1 & R2 BY ADV. SMT.O.VBINDU.**

**R3 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 19-03-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**APPENDIX**

**PETITIONER'S ANNEXURES:-**

- ANNEXURE I :** A COPY OF THE FIR DATED 21.05.2013 IN CRIME NO.252/2013 OF THE NALLALAM POLICE STATION.
- ANNEXURE II:** A COPY OF THE AFFIDAVIT SWORN BY THE 1ST RESPONDENT DATED 07.01.2015.
- ANNEXURE III:** A COPY OF THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT DATED 07.01.2015.
- ANNEXURE IV:** A COPY OF THE FINAL REPORT DATED 29.06.2013 IN CRIME NO.252/2013 OF THE NALLALAM POLICE STATION.
- ANNEXURE V :** A COPY OF THE CHARGE FRAMED BY THE JUDICIAL FIRST CLASS MAGISTRATE COURT-V, KOZHIKODE IN CC.932 OF 2013 DATED 08.04.2014.
- ANNEXURE VI:** A COPY OF THE AFFIDAVIT SWORN BY MOHANAN, CW3 IN CRIME NO.252/2013 OF THE NALLALAM POLICE STATION, DATED 27/02/2015.

**RESPONDENT'S ANNEXURES:-** NIL.

**//TRUE COPY//**

**PA. TO JUDGE**

**rs.**

**B.KEMAL PASHA, J.**

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Crl.M.C. No. 1166 of 2015

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Dated this the 19<sup>th</sup> day of March, 2015

**ORDER**

The accused in C.C.No.932/2013 of the Judicial First Class Magistrate's Court-V, Kozhikode, which has arisen from Crime No.252/2013 of the Nallalam Police Station, Kozhikode District, for the offences punishable under Sections 341, 323, 294(b), 354 and 506(i) read with Section 34 IPC, have come up under Section 482 Cr.P.C. for getting Annexure-V Final Report and all further proceedings based on it in C.C.No.932/2013 before the Judicial First Class Magistrate's Court-V, Kozhikode, quashed.

2. The prosecution case is that on 20.5.2013 at 2 p.m., the petitioners in furtherance of their common intention, wrongfully restrained CWs.1 to 3. It is further alleged that the 1<sup>st</sup> petitioner pulled the 'Churidar shawl' of CW2, thereby outraging her modesty and he criminally intimidated CW2. When CW1 intervened, she was caught hold of by the 2<sup>nd</sup> petitioner, her modesty was outraged.

According to the petitioners, the matter has been amicably settled between them and CWs.1 to 3 and presently, CWs.1 to 3 have no complaints against the petitioners.

3. CWs.1 to 3 have entered appearance and filed separate affidavits affirming that the matter has been amicably settled between them and the petitioners and presently, they have no complaints against the petitioners.

4. Heard the learned counsel for the petitioners, the learned counsel for the de facto complainant and learned Public Prosecutor.

5. When the matter has been amicably settled between the parties, there is no purpose in continuing with the matter and therefore, the proceedings against the petitioners can be quashed.

In the result, this Crl.M.C is allowed and Annexure-V Final Report in Crime No.252/2013 of the Nallalam Police Station, Kozhikode District and all further proceedings based on it in

C.C.No.932/2013 pending before the Judicial First Class Magistrate's Court-V, Kozhikode, are hereby quashed.

**B.KEMAL PASHA, JUDGE**

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