

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF MARCH 2015/25TH PHALGUNA, 1936

CrI.MC.No. 1332 of 2015 ()

(CRIME NO. 789/2014 OF ALATHUR POLICE STATION , PALAKKAD)

PETITIONER/ACCUSED:

SANTHOSH
AGED 39 YEARS
S/O.SUBRAMANIAN,
SANTHOSH BHAVAN,
VADAKKANTHARA,
PALAKKAD.

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S)/DEFACTO COMPLAINANT AND STATE:

1. REMANI K.V.,
AGED 43 YEARS,
W/O.LATE PRABHAKARAN,
SREE VALSAM,
KOLAKOZHIPARAMBU,
KAVASSERY P.O.,
PALAKKAD - 678 543.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

R1 BY ADV. SRI.P.M.RAFIQ
R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 16-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

vmr.

Crl.MC.No. 1332 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURE

**ANNEXURE A: TRUE COPY OF THE F.I.R IN CRIME NO.789 OF 2014 OF ALATHUR
POLICE STATION, PALAKKAD DATED 24.06.2014.**

**ANNEXURE B: AFFIDAVIT SWORN BY THE 1ST RESPONDENT HEREIN EVIDENCING
THE AFORESAID SETTLEMENT.**

RESPONDENT(S)' ANNEXURE : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr.

B. KEMAL PASHA, J.

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Crl.M.C. No.1332 2015
.....

Dated this the 16th day of March, 2015

ORDER

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The accused in Crime No.789/2014 of Alathur Police Station, Palakkad, registered for the offences punishable under Section 420 IPC, Sections 17 and 18 of the Kerala Money Lenders Act, 1958 and Sections 3 and 9 of the Kerala Prohibition of Charging Exorbitant Interest Act, 2012, has come up under Section 482 Cr.P.C. for getting Annexure-A FIR in Crime No.789/2014 of Alathur Police Station and all further proceedings pursuant to it quashed.

2. The allegations against the petitioner is that, without any licence or authorisation, he has obtained the title deeds, blank signed cheque leaves and RC book of the vehicle of the de facto complainant from her at the Pavithra Jewellery, Alathur by lending money to her by charging exorbitant interest and obtained the sale deed of house

building and the property in which it is situated, belongs to the de facto complainant, registered in his favour by insisting the de facto complainant for the same.

3. According to the petitioner, the matter has been amicably settled between him and the de facto complainant and presently, the de facto complainant, who is the 1<sup>st</sup> respondent herein, has no complaints against the petitioner.

4. The de facto complainant, who is the 1<sup>st</sup> respondent herein, has filed an affidavit affirming that the matter has been amicably settled between her and the petitioner and, therefore, she has no complaints at present against the petitioner.

5. When the matter has been amicably settled between the parties and especially when the matter is relating to a monetary dispute, I am of the view that Annexure-A FIR and all further proceedings in Crime No.789/2014 of Alathur Police Station can be quashed.

In the result, this CrI.M.C. is allowed and Annexure-A

FIR in Crime No.789/2014 of Alathur Police Station as against the petitioner and all further proceedings based on it pending before the Judicial First Class Magistrate's Court, Alathur are hereby quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/16/03

*// True Copy //*

*PA to Judge*