

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

Crl.MC.No. 1511 of 2015

**CP 85/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, MANNARKAD.
CRIME NO. 57/2013 OF NATTUKAL POLICE STATION.**
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PETITIONER/ACCUSED:

**RASHEED @ RASHEED BABU,
S/O.MUHAMMED ALI,
PATTAMOTHODI HOUSE, KUNNUMPURAM,
NATTUKAL, PALAKKAD DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENTS/STATE & DE-FACTO COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI - 682 031 - FOR THE SUB INSPECTOR OF POLICE,
NATTUKAL POLICE STATION, PALAKKAD DISTRICT.**
- 2. K SANTHAKUMARI, W/O.RAJAGOPALAN,
KITATH HOUSE, KUNDOORKUNNU P.O.,
MANNARKKAD, PALAKKAD DISTRICT, PIN - 678 583.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS
R2 BY ADV. SMT.M.LISHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

Crl.MC.No. 1511 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A: TRUE COPY OF THE F.I.R IN CRIME NO. 57/2013 OF THE
NATTUKAL POLICE STATION DATED 29/01/2013.**

**ANNEXURE B: TRUE COPY OF THE CHARGE IN CP.NO. 85/2013 OF THE JFCM,
MANNARKKAD.**

**ANNEXURE C: TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE
2ND RESPONDENT DATED 03/03/2015.**

RESPONDENT(S)' ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.1511 of 2015
.....

Dated this the 23rd day of March, 2015

ORDER

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The accused in C.P.No.85/2013 pending before the Judicial First Class Magistrate's Court, Mannarkkad, which has arisen from Crime No.57/2013 of Nattukal Police Station registered for the offence punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has come up under Section 482 Cr.P.C. for getting the entire proceedings referred to above quashed.

2. The allegation against the petitioner is that on 28.01.2013, he, who is not a member of any scheduled caste or scheduled tribe, abused the de facto complainant woman belongs to a scheduled caste, and humiliated her while a meeting of the beneficiary committee of Kunnipuram Anganwady was being conducted. According to the

petitioner, the matter has been amicably settled between the petitioner and the de facto complainant, who is the 2<sup>nd</sup> respondent herein, and presently, the de facto complainant has no complaints against the petitioner.

3. Heard learned counsel for the petitioner, the learned counsel for the de facto complainant, who is the 2<sup>nd</sup> respondent herein, and learned Public Prosecutor.

4. The de facto complainant, who is the 2<sup>nd</sup> respondent herein, has entered appearance and filed Annexure-C affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner and, therefore, all further proceedings in the matter referred to above can be quashed.

5. When the trivial matter involved in the case has been settled between the parties and as the de facto complainant has no complaints against the petitioner, it is only just and expedient in the interest of justice to quash the

proceedings referred to above.

In the result, this CrI.M.C. is allowed and Annexure-A FIR and Annexure-B final report in Crime No.57/2013 of Nattukal Police Station as against the petitioner and all further proceedings based on it in C.P.85/2013 pending before the Judicial First Class Magistrate's Court, Mannarkkad are hereby quashed.

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

aks/23/03

[True copy]

P.A. to Judge