

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Crl.MC.No. 3199 of 2015

**CRIME NO. 408/2002 OF CHANGARAMKULAM POLICE STATION , MALAPPURAM
LP.60/2011 IN CP.8/2008 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PONNANI**

PETITIONER(S)/ACCUSED:

**ANWAR, AGED 36 YEARS,
S/O. ABDU RAHIMAN, RESIDING AT PUTHEN PURAKKAL HOUSE,
KIZHIKKARA LAKSHMA VEEDU COLONY, PONNANI TALUK,
ALAMKODE VILLAGE, OTHALUR AMSOM, KIZHIKKARA DESOM,
MALAPPURAM DISTRICT.**

BY ADV. SRI.R.O.MUHAMED SHEMEEM

RESPONDENT(S)/DEFACTO COMPLAINANT:

- 1. THE CIRCLE INSPECTOR OF POLICE,
PONNANI POLICE STATION, PONNANI, MALAPPURAM - 679 583.**
- 2. SHAHIDA, D/O. MUHAMMED,
PERMANENTLY RESIDING AT KALARIPARAMBIL HOUSE,
PONNANI TALUK, ALAMKODE VILLAGE,
ALAMKODE OTHALUR AMSOM, KIZHIKKARA DESOM,
NOW RESIDING AT KOKKUR, POST KOKKUR,
MALAPPURAM - 679 591.**
- 3. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

**R1 & 3 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 BY ADV. SRI.T.S.ABDUL KHADER**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONERS' ANNEXURS

**ANNEXURE 1: COPY OF THE FINAL REPORT IN LP NO.60/11 IN CP.NO.8 OF 2008
PENDING BEFOR THE JUDICIAL 1ST CLASS MAGISTRATE COURT,
PONNANI IN CRIME NO.408 OF 2002 OF CHANGARAMKULAM POLICE
STATION**

**ANNEXURE 2: COPY OF THE AGREEMENT DATED 25/12/14 EXECUTED BETWEEN THE
PETITIONER R2 AND HER MOTHER SETTLING THE DISPUTE IN ANX.1.**

**ANNEXURE 3: COPY OF THE MARRIAGE CERTIFICATE ISSUED BY THE SECRETARY,
KOKKUR JUMA MASJID PAVITTAPURAM MAHLLU JAMA ATH
COMMITTEE WEST P.O.**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 3199 of 2015

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Dated this the 2nd day of June, 2015

ORDER

Petition filed under section 482 Cr.P.C.

2. Petitioner is the accused in Sessions case No. LP 60 of 2011 on the file of the Judicial Magistrate of the First Class, Ponnani. The charge against him is that he has committed the offence under section 376 IPC. The victim is the second respondent. It is submitted that the matter has been settled. The prayer is to quash the proceedings in the sessions case.

3. Heard the learned counsel for the petitioner and for the second respondent and the learned Public Prosecutor.

4. The allegation against the petitioner is that he committed rape on the second respondent. It is against public interest to allow the parties to settle the matter. So, the proceedings cannot be quashed. The petitioner was absconding for more than a decade.

In the result, this Crl. M.C. is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge