

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Cr1.MC.No. 6263 of 2015 ()

CRIME NO. 796/2015 OF PUTHENCROUZ POLICE STATION, ERNAKULAM

PETITIONERS/ACCUSED:

1. P.A.BHASKARAN, AGED 48 YEARS,
S/O.AYYAPPAN, PALAKUZHAYIL HOUSE, MARANGATTULLI KARA,
THIRUVANIYOR P.O., THIRUVANIYOR VILLAGE,
ERNAKULAM DISTRICT, PIN 682 308.

2. KUNJUMON, AGED 48 YEARS,
S/O. KOCHUKUNJU, PALAKUZHAYIL HOUSE,
MARANGATTULLI KARA, THIRUVANIYOR P.O.,
THIRUVANIYOR VILLAGE, ERNAKULAM DISTRICT,
PIN 682 308.

3. OMANAKUTTAN, AGED 36 YEARS,
S/O.KOCHUKUNJU, PALAKUZHAYIL HOUSE, MARANGATTULLI KARA,
THIRUVANIYOR P.O., THIRUVANIYOR VILLAGE,
ERNAKULAM DISTRICT, PIN 682 308.

BY ADVS.SMT.LATHA T.THANKAPPAN
SRI.K.C.PAULOSE

RESPONDENT(S)/DEFACTO-COMPLAINANT/STATE:

1. SURESH,
S/O.THEVAN, NEDIYAKANDATHIL HOUSE, MARANGATTULLI KARA,
THIRUVANIYOR P.O., THIRUVANIYOR VILLAGE,
ERNAKULAM DISTRICT, PIN 682 308.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

R1 BY ADV. SRI.SUNU P.JOHN
R2 BY PUBLIC PROSECUTOR SMT.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Cr1.MC.No. 6263 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURE :

ANNEXURE AI- COPY OF FIR IN CRIME NO.769/2015 OF PUTHENCruz
POLICE STATION DATED 23.6.2015.

ANNEXURE AII- AFFIDAVIT DATED 15.9.2015 SWORN BY THE 1ST
RESPONDENT.

RESPONDENTS' ANNEXURE :

NIL

// True Copy //

P.A. To Judge

DSV/29/9/15

B.KEMAL PASHA, J.

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CRL.M.C. No.6263 of 2015

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Dated this the 28th day of September, 2015

ORDER

The petitioners are the accused in Crime No.796 of 2015 of the Puthencruz Police Station, for the offences punishable under Sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 506(ii) IPC read with Section 34 IPC.

2. The allegation against the petitioners is that they have called the caste name of the defacto complainant, who belongs to a Scheduled Caste, during the proceedings in the *Grama Sabha* of Ward No.IX of the Thiruvaniyoor Village, on 21.06.2015.

3. Presently, the matter has been amicably settled between the parties. The defacto complainant has filed Annexure All affidavit, affirming that the matter has been amicably settled and he has no complaint against the

petitioners. On going through Annexure AI First Information Statement, it seems that it was only a trivial matter, which has been triggered into an offence under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. When the matter has been amicably settled between the parties, no purpose would be served in the continued investigation of this case and therefore, Annexure AI First Information Report and all further proceedings based on it in Crime No.796 of 2015 of the Puthencruz Police Station, can be quashed.

In the result, this Crl.M.C. is allowed and Annexure AI First Information Report and all further proceedings based on it in Crime No.796 of 2015 of the Puthencruz Police Station are hereby quashed.

Sd/-

B. KEMAL PASHA
JUDGE

DSV/28/9/15

// True Copy //

P.A. To Judge