

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

Crl.MC.No. 6590 of 2014

CRIME NO. 900/2014 OF PALLIKATHODE POLICE STATION, KOTTAYAM

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PETITIONER(S)/ACCUSED:

**BIJU VARGHESE,
S/O MATHEW VARGHESE, VETTIKKATHIL HOUSE,
ARUVIKUZHI P.O., PALLIKATHODU P.O., KOTTAYAM.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.NANDAGOPAL S.KURUP**

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. AISHWARYA V.T.,
D/O. THANKACHAN, VADAKKEPARAMBIL HOUSE,
KANJIRAMATTOM P.O., CHENGALAM, KOTTAYAM - 685 001.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS
R2 BY ADV. SRI.K.ASHIS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
14-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 6590 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A: CERTIFIED COPY OF THE FIRST INFORMATION REPORT
DATED 13.11.2014 IN CRIM 900/2014 OF PALLIKATHODU POLICE
STATION, KOTTAYAM DISTRICT.**

**ANNEXURE B: AFFIDAVIT DATED 19.11.2014 SWORN BY THE
2ND RESPONDENT/DEFACTO-COMPLAINANT**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

Crl.M.C. No.6590 of 2014 A

Dated this the 14th day of January 2015

ORDER

The petitioner is the accused in crime No.900/2014 of Pallikathodu Police Station, Kottayam district, pending investigation for the offence punishable under Section 354(A) of the Indian Penal Code. He has come up under Section 482 of Code of Criminal Procedure, to get Annexure A-F.I.R. and all further proceedings in the said crime, quashed.

2. The allegation against the petitioner is that on 15.10.2014 at 11 a.m., he caught hold of the de-facto complainant woman, who is the second respondent herein, while she was sweeping at the Photo Studio being conducted by the petitioner, thereby outraging her modesty.

3. According to the petitioner, the matter has been amicably

settled in between the petitioner and the de-facto complainant, who is the second respondent herein and presently, the second respondent has no complaints against the petitioner.

4. The de-facto complainant, who is the second respondent herein, has filed an affidavit stating that the matter has been amicably settled and that she has no complaints against the petitioner. She also has prayed for quashing the proceedings in the above crime. The second respondent has entered appearance through her counsel. The learned counsel for the second respondent also endorses the fact that the affidavit has been sworn in by the second respondent herself. When the matter has been amicably settled between the parties and the investigation is only proceeding, I am of the view that Annexure A-F.I.R. in crime No.900/2014 of Pallikathodu Police Station, Kottayam district, and all further proceedings based on the same, can be quashed.

In the result, this Crl.M.C. is allowed. Annexure A - F.I.R.

in crime No.900/2014 of Pallikathodu Police Station, Kottayam district, and all further proceedings based on the same, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge