IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

MONDAY, THE 24TH DAY OF MARCH 2025 / 3RD CHAITHRA, 1947

CRL.MC NO. 605 OF 2025

CRIME NO.976/2017 OF GURUVAYOOR TEMPLE POLICE STATION, THRISSUR

AGAINST THE ORDER/JUDGMENT IN SC NO.642 OF 2018 OF SPECIAL COURT FOR SC/ST ATROCITIES ACT CASES, THRISSUR

PETITIONERS:

1 **SHARON.A.S @ SREERAG,**
AGED 25 YEARS
S/O.SUBRAMANIAN, ALUNGAL HOUSE,
MANATHALA VILLAGE, THIRUVATHRA,
CHAVAKKAD, THRISSUR, PIN – 680516

2 **SREERAG.K.S @ KANNAN,**
AGED 26 YEARS
S/O.SUDHEERKUMAR, KALLAVUR HOUSE,
MANATHALA VILLAGE, THIRUVATHRA,CHAVAKKAD,
THRISSUR, PIN – 680516

3 **MAHESH.N.M,**
AGED 29 YEARS
S/O.MANOHARAN, NEDIYEDATH HOUSE,
MANATHALA VILLAGE, THIRUVATHRA,
CHAVAKKAD, THRISSUR, PIN – 680516

4 **YADHUKRISHNAN,**
AGED 25 YEARS
S/O.JANARDHANAN, VALIPPARAMBIL HOUSE,
MANATHALA VILLAGE, THIRUVATHRA,
CHAVAKKAD, THRISSUR, PIN – 680516

5 VISHNU,
AGED 25 YEARS
S/O.JAYAN, MANATHALA HOUSE,
THAIKKAD VILLAGE, NENMINI,
GURUVAYUR, THRISSUR, PIN – 680101

BY ADV V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM,
PIN – 682031

2 DIPIN,
AGED 29 YEARS
S/O.UNNIKRISHNAN, PARAKKATTIL HOUSE,
EDAKKAZHIYUR VILLAGE, PANCHAVADI,
THRISSUR, PIN – 680515

3 ASHIK,
AGED 34 YEARS
S/O.AZEEZ, KIZHINJALIL HOUSE,
VARAVOOR VILLAGE, CHELUR ITTONAM,
THRISSUR, PIN – 680585

4 SREEJITH @ KUTTAN,
AGED 42 YEARS
S/O.JAYACHANDRAN, KIZHAKKEKANDIYUR,
PATTATH HOUSE, GURUVAYUR VILLAGE,
NEAR CHANMUDESWARY TEMPLE,
THRISSUR, PIN – 680101

BY ADVS
T.J.MARIA GORETTI
PP M.C.ASHI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24.03.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 24th day of March, 2025

Petitioners are accused Nos.1 to 5 in Crime No.976 of 2017 registered at the Guruvayur Temple Police Station for offences punishable under Sections 143, 147, 341, 323 and 294(b) read with Section 149 of the Indian Penal Code and Sections 3(1)(r) and 3(2)(Va)of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, now pending as S.C.No.642 of 2018 on the files of the Special Court for the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur.

2. The crime was registered on the allegation that, on 16.12.2017 at about 20:45 hours, the accused, due to prior animosity, unlawfully assembled and restrained the de facto complainant, called him by his caste name, verbally abused and assaulted him.

3. Learned Counsel for the petitioners submitted that the dispute, which led to the incident and registration of the crime, is amicably settled and Annexures 2 to 4

affidavits have been filed by respondents 2 to 4 vouching this fact.

4. Learned Counsel for respondents 2 to 4 also submitted that the dispute is settled and her clients have no grievance against the petitioners.

5. I heard the learned Public Prosecutor also.

6. Having considered the gravity of the offences alleged and having perused the affidavits, the contents of which are vouched to be true and voluntary by the Counsel for respondents 2 to 4, I am satisfied that no public interest is involved in this matter and the dispute has been settled amicably. In view of the settlement, there is no possibility of the criminal proceedings ending in conviction. As such, continuance of the proceedings will amount to an abuse of process of court and hence, in view of the legal position set out by the Honourable Supreme Court in **Madan Mohan Abbot v State of Punjab** [(2008) 4 SCC 582] and **Gian Singh v State of Punjab and Another** [(2012) 10 SCC 303], there is no impediment in granting the relief.

In the result, this Crl.M.C is allowed. Annexure 1

final report in Crime No.976 of 2017 of Guruvayur Temple Police Station and all further proceedings in S.C.No.642 of 2018 on the files of the Special Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act Cases, Thrissur, as against the petitioners, is quashed.

Sd/-

V.G.ARUN

JUDGE

SPV

APPENDIX OF CRL.MC 605/2025

PETITIONERS' ANNEXURES

ANNEXURE 1	**TRUE COPY OF THE FINAL REPORT IN CRIME NO.976/2017 OF GURUVAYUR TEMPLE POLICE STATION, THRISSUR CITY**
ANNEXURE 2	**THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT DATED 16.01.2025 EVIDENCING THE AFORESAID FACTUM OF SETTLEMENT**
ANNEXURE 3	**THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT DATED 16.01.2025 EVIDENCING THE AFORESAID FACTUM OF SETTLEMENT**
ANNEXURE 4	**THE AFFIDAVIT SWORN BY THE 4TH RESPONDENT DATED 16.01.2025 EVIDENCING THE AFORESAID FACTUM OF SETTLEMENT**

RESPONDENTS' ANNEXURES: NIL

//TRUE COPY//

PA TO JUDGE