

Azeef C.a., vs State of Kerala,

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SooperKanoon Citation : sooperkanoon.com/1297917

Court : Kerala Orders

Decided On : May-24-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/6155/2023

Appellant : Azeef C.a.,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN FRIDAY, THE 24TH DAY OF MAY 2024 / 3RD JYAISHTA, 1946 CRL.MC NO. 6155 OF 2023 SC NO.1194 OF 2022 OF ADDITIONAL DISTRICT COURT & SESSIONS COURT (VIOLENCE AGAINST WOMEN & CHILDREN), ERNAKULAM PETITIONERS/ACCUSED NOS.1 & 2: 1 AZEEF C.A., AGED 41 YEARS S/O.C.M.ABDU, CHELAPARAMBIL HOUSE, MATTTANCHERY P.O., KOCHI, PIN: 682 002. 2 RAMLATH AGED 43 YEARS W/O.ROBIN, CHELAPARAMBIL HOUSE, MATTANCHERRY, KOCHI, PIN: 682 002. BY ADVS. K.R.VINOD M.S.LETHA RESPONDENTS/COMPLAINANTS: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, KOCHI, PIN - 682031 2 AMALA DAVID, AGED 24 YEARS, D/O.DEVASSY,

PEREPADAN HOUSE, PULIYANAM, PARAKKADAVU, ALUVA, PIN:683 579. R1 BY PUBLIC PROSECUTOR SRI.M.P.PRASANTH THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24.05.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CRL.M.C.NO.6155 OF 2023 2

ORDER

Dated this the 24th day of May, 2024 This is a petition filed under Section 482 of the Code of Criminal Procedure to quash Annexure A1 Final Report in Crime No.1191/2019 of Panangad Police Station, where the prosecution alleges commission of offences punishable under Sections 366, 354(D)(1), 354 and 506 r/w Section 34 of the IPC.

2. Although, this petition has been filed to quash Annexure

A1 Final Report along with an affidavit filed by the de facto complainant on the submission that the dispute has been settled, today when this matter taken up for consideration, the learned Public Prosecutor placed a letter, submitted by the de facto complainant directly to the Station House Officer, Panangad Police Station stating that the de facto complainant wanted to continue the case and there was no kind of settlement between her and the party.

3. The learned counsel for the petitioners, when noticed

this letter, fairly conceded that this petition may be dismissed, CRL.M.C.NO.6155 OF 2023 3 facilitating trial of the matter. Hence, this Criminal Miscellaneous Case stands dismissed, with liberty to the trial court to proceed with trial. Registry is directed to inform this matter to the trial court, forthwith. Sd/- A. BADHARUDEEN JUDGE Bb CRL.M.C.NO.6155 OF 2023 4 APPENDIX OF CRL.MC 6155/2023 PETITIONERS ANNEXURES ANNEXURE A1 THE COPY OF THE FINAL REPORT IN S.C.NO.1194 OF 2022 IN THE FILES OF ADDL.DISTRICT & SESSIONS COURT (POCSO) AT ERNAKULAM ANNEXURE A2 THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT, DE FACTO COMPLAINANT RESPONDENTS ANNEXURES : NIL