

Santhosh Kumar vs State of Kerala

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Court : Kerala

Decided On : Jun-30-2020

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Crl.MC/2793/2020

Appellant : Santhosh Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V. TUESDAY, THE 30TH DAY OF JUNE 2020 / 9TH ASHADHA, 1942 Crl.MC.No.2793 OF 2020(H) CRIME NO.76/2020 OF Chandra Police Station , Kasargod PETITIONER/ACCUSED: SANTHOSH KUMAR AGED 44 YEARS S/O. SANKARAN, CHEEMENI, KASARGOD, KERALA BY ADV. SRI.S.RAJEEV RESPONDENTS/STATE/DEFACTO COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 682 031 (CRIME NO. 76/2020 OF CHANDERA POLICE STATION, KASARGODE DISTRICT) XXXX OTHER PRESENT: PP SREEJA V THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 30.06.2020, THE COURT ON

THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 30th day of June 2020 Petition under Section 482 of the Code of Criminal Procedure.

2. The petitioner is the accused in Crime No.76 of 2020 of Chandera Police Station, Kasaragod registered for the offences punishable under Sections 354, 354A(1)(i) of Indian Penal Code.

3. It is submitted by the learned counsel for the petitioner that due to the intervention of the senior members of

the society and well wishers, the parties

Chandera Police Station, Kasaragod.

4. Learned counsel appearing for the 2nd respondent/ defacto complainant has submitted that she has absolutely no grievance or complaints against the petitioner. Annexure II is

the affidavit sworn to by her in support of the submission.

5. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition. It is also submitted that as the dispute has been amicably settled, the possibility of conviction is remote and bleak and therefore, no useful purpose would be served by keeping the proceedings alive.

6. On hearing the submissions of all concerned, and

on perusal of the records as well on

with the matter against this petitioner. Moreover, no public interest is involved in the case and there is no legal impediment in granting the prayer as sought for by the petitioner. Therefore, for the purpose of securing the ends of justice, this Crl.M.C. is only to be allowed.

For the foregoing reasons, this Crl.M.C. is allowed and all further proceedings in Crime No. 76 of 2020 of Chandra Police Station, Kasaragod will stand quashed as prayed for. Sd/- SHIRCY V. JUDGE sb APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE 1 CERTIFIED COPY OF FIR ALONG WITH FIS IN CRIME NO. 76/2020 OF CHANDRA POLICE STATION, KASARGODE DISTRICT ANNEXURE II COPY OF NOTARIZED AFFIDAVIT DATED 08-05-2020 SWORN BY THE 2ND RESPONDENT.

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