

(2024) 10 KL CK 0011

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 4006 Of 2024

Navas PK

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 07-10-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 354A(1)(iv), 509

Citation : (2024) 10 KL CK 0011

Hon'ble Judges : A. Badharudeen, J

Bench : Single Bench

Advocate : P.E.Sajal, Ajas K.S., Renjit George, P.A.Mohammed Shah, Renoy Vincent, Shahir Showkath Ali, Abee Shejirik Fasla N.K, Chelson Chembarathy, Muhamed Junaid V., Fathima Afeeda P., Adith Krishnan.U., Sherin Sheriyar, Afeefa Nafeesa C.C.

Final Decision : Allowed

Judgement

A. Badharudeen, J

1. This criminal miscellaneous case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash Annexure A1 FIR and Annexure A2 Final Report in C.C.No.247/2021 on the files of the Judicial First Class Magistrate Court-IV, Kozhikode, arose out of Crime No.451/2021 of Vellayil police station, Kozhikode District, and all further proceedings thereunder. The petitioner herein is the sole accused in the above case.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the de facto complainant and the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 354A(1)(iv) and 509 of the Indian Penal Code, are alleged to have been committed by the accused. The specific allegation is that the accused, who is the State President of MSF (Muslim Students Federation), used derogative words against the de facto complainant

with a view to outrage her modesty and to intrude upon her privacy.

4. It is submitted that the matter has been amicably settled and the de facto complainant filed affidavit in this regard. The de facto complainant stated in the affidavit that she has no intention to proceed further in this matter, since the matter has been settled by the intervention of the senior Muslim League leaders.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the de facto complainant to that effect has been recorded.

6. Since the matter has been amicably settled between the parties, there is no reason to disallow the prayer for quashment so as to facilitate peaceful living of the parties hereinafter and to protect their political career. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this Criminal Miscellaneous Case stands allowed. Annexure A1 FIR and Annexure A2 Final Report in C.C.No.247/2021 on the files of the Judicial First Class Magistrate Court-IV, Kozhikode, arose out of Crime No.451/2021 of Vellayil police station, Kozhikode District, and all further proceedings thereunder, against the petitioner herein, stand quashed.