

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Crl.MC.No. 7397 of 2014 ()

CRIME NO. 884/2014 OF VEEYAPURAM POLICE STATION, ALAPPUZHA DISTRICT.

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PETITIONERS/ACCUSED 1 & 2:

- 1. SAJAYYAN, AGED 33 YEARS,
S/O.LATE VISWABHARAN, SAJAYYA BHAVAN,
KARICAL, PAYYIPPAD P.O, HARIPPAD.**
- 2. UMAYYAMMA, AGED 58 YEARS,
W/O.LATE VISWABHARAN, -DO-**

**BY ADVS.SRI.R.SUNIL KUMAR,
SMT.A.SALINI LAL.**

RESPONDENT/COMPLAINANT:

- 1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. JYOTHI LEKSHMI, AGED 23 YEARS,
D/O.MOHANAN, THEKKE PADANILATH,
MATTOM THEKK, THATTARAMBALAM, MAVELIKKARA.**

**R1 BY PUBLIC PROSECUTOR SRI.R. GITHESH.
R2 BY ADV. SRI.BINNY.ATHOMAS.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

Crl.MC.No. 7397 of 2014

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE 1 COPY OF THE FIR.

ANNEXURE 2 AFFIDAVIT FILED BY THE 2ND RESPONDENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P.BHAVADASAN, J.

Crl.M.C. No. 7397 of 2014

Dated this the 30th day of December, 2014.

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure to have all further proceedings in Crime No. 884 of 2014 of Veeyapuram Police Station against the petitioners quashed.

2. The petitioners stand accused of having committed offences punishable under Section 498A read with Section 34 of Indian Penal Code and crime was registered on the basis of the complaint given by the second respondent. The complainant has now appeared before this Court and contended that they have settled the matter and the defacto complainant does not wish to continue the proceedings. An affidavit to that effect has been filed by the defacto complainant. Learned counsel for the second respondent before this Court stands by the said affidavit.

In the light of the fact that the defacto complainant does not wish to proceed with the matter and continuance of the proceedings will be a futile exercise, this petition is allowed and all further proceedings in Crime No. 884 of 2014 of Veeyapuram Police Station shall stand quashed.

P.BHAVADASAN
JUDGE

sb.