

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Crl.MC.No. 1 of 2015 ()

**CC.NO. 1291/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -II, KANNUR
CRIME NO. 1109/2013 OF VALAPATTANAM POLICE STATION , KANNUR DISTRICT**

PETITIONER(S)/ACCUSED NO.1 TO 3:

- 1. MANOHARAN M.K., AGED 49 YEARS,
S/O.KRISHNAN, CHELORA HOUSE, VANKULATH VAYAL,
AZHEEKODE P.O., KANNUR DISTRICT.**
- 2. VASANTHA.M.K., AGED 51 YEARS, W/O.RAJAN.M.C.,
CHELORA HOUSE, VANKULATH VAYAL,
AZHEEKODE P.O., KANNUR DISTRICT.**
- 3. PARUKKUTTYAMMA.M.K., AGED 73 YEARS,
W/O.KRISHNAN, CHELORA HOUSE, VANKULATH VAYAL,
AZHEEKODE P.O., KANNUR DISTRICT.**

**BY ADVS.SRI.ZUBAIR PULIKKOOL
SRI.P.S.BINU**

RESPONDENT(S)/COMPLAINANT:

- 1. C.V. PREETHA, AGED 48 YEARS,W/O.MANOHRAN.M.K.,
CHELORA HOUSE, VANKULATH VAYAL,
AZHEEKODE P.O., KANNUR DISTRICT. PIN-670 002**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.PIN-682 031**

**R1 BY ADV. SMT.P.A.ANEESHA
R2 BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 1 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX-I: CERTIFIED COPY OF FINAL REPORT IN CRIME 1109/2013 OF
VALAPATTANAM POLICE STATION.**

ANNEX-II: ORIGINAL COPY OF THE AFFIDAVIT OF 1ST RESPONDENT.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.S.TO.JUDGE

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B.KEMAL PASHA, J.

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CRL. M.C. No.1 of 2015
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Dated this the 27th day of January, 2015

ORDER

Petitioners are A1 to A3 in Crime No.1109/2013 of the Valapattanam Police Station, registered for the offence punishable under Section 498A of the Indian Penal Code.

2. Petitioners have come up with this CrI.M.C. under Section 482 Cr.P.C. for getting quashed Annexure I Final Report and all further proceedings in C.C.1291/2014 on the file of the Judicial First Class Magistrate's Court-II, Kannur in Crime No.1109/2013 of Valapattanam Police Station.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is the wife of the 1st petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding

more dowry.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 1st respondent herein, and the learned Public Prosecutor.

5. According to the petitioners, all the matters in dispute between the petitioners and the defacto complainant have been amicably settled and presently the defacto complainant has no complaint against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

6. The defacto complainant, who is the 1st respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioners have been amicably settled and, therefore, she has no complaint against the petitioners, and, hence, all further proceedings in the matter referred to above can be quashed. She has entered appearance through her counsel. The learned counsel for the defacto complainant also endorses the fact

that the affidavit has been sworn in by the defacto complainant on her own volition.

7. Through a settlement the 1st petitioner and the 1st respondent are living together as husband and wife and are leading a peaceful married life. Therefore, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this Crl.M.C. is allowed and Annexure I Final Report and all further proceedings in C.C.1291/2014 on the file of the Judicial First Class Magistrate's Court-II, Kannur in Crime No.1109/2013 of Valapattanam Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge