

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936**

**Crl.MC.No. 22 of 2015**  
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**CC 210/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT - II, PERINTHALMANNA  
CRIME NO. 725/2013 OF MELATTUR POLICE STATION, MALAPPURAM**  
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**PETITIONER(S)/ACCUSED:**  
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**K.SAJEESH,  
S/O.PADMANABHAN, KANHOOR HOUSE, THACHINGANADAM,  
PATTIKKAD, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT.**

**BY ADV. SRI.P.SAMSUDIN**

**RESPONDENT(S)/STATE AND DEFACTO-COMPLAINANT:**  
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- 1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM-682 031(CRIME NO 725/2013 OF MELATTUR POLICE STATION)**
- 2. RINI R., AGED 25 YEARS,  
D/O.RAMANCHANDRAN K., PALAKUZHI HOUSE, MAYFILED ESTATE,  
15/201, DEVARSOLA, GUDALLUR,  
NILGIRI DISTRICT , TAMIL NADU, PIN - 643 207.**

**R1 BY PUBLIC PROSECUTOR JIBU P. THOMAS  
R2 BY ADV. SRI.K.C.ANTONY MATHEW**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON  
21-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**Crl.MC.No. 22 of 2015**  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES:**

**ANNEXURE A1:-TRUE COPY OF FIR AND CHARGE SHEET IN CRIME NO 725/2013 OF  
MELATTUR POLICE STATION.**

**ANNEXURE A2:-TRUE COPY OF THE AFFIDAVIT SWORN IN BY 2ND RESPONDENT  
DTD 29/12/2014.**

**RESPONDENT(S)' ANNEXURES:**

**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE**

Msv/

**B.KEMAL PASHA, J.**

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CRL.M.C. No.22 of 2015

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Dated this the 21<sup>st</sup> day of January, 2015

**ORDER**

Petitioner is the accused in Crime No.725 of 2013 of the Melattur Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

2. Petitioner has come up with this CrI.M.C. under Section 482 Cr.P.C. for getting Annexure-A1 First Information Report and all further proceedings based on it, in C.C.210 of 2013 pending before the Judicial First Class Magistrate's Court-II, Perinthalmanna, quashed.

3. The allegation against the petitioner is that he has tortured and harassed the defacto complainant, who is his wife, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

4. Heard learned counsel for the petitioner, the learned counsel for the defacto complainant, who is the 2<sup>nd</sup> respondent herein, and the learned Public Prosecutor.

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

6. The defacto complainant, who is the 2<sup>nd</sup> respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner, 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. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against the petitioner, 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-A1 First Information Report and all further proceedings based on it in C.C.No.210 of 2013 pending before the Judicial First Class Magistrate's Court-II, Perinthalmanna, are hereby quashed.

*Sd/-*  
**B. KEMAL PASHA**  
**JUDGE**

*DSV/22/1/15*

// True Copy //

P.A. To Judge