

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

Crl.MC.No. 61 of 2015 ()

CC. NO.2770/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II,THRISSUR.
CRIME NO. 838/2013 OF ANTHIKKAD POLICE STATION, THRISSUR DISTRICT.

PETITIONERS/ACCUSED:

-
- 1. SREEDAL MENON, AGED 28 YEARS,
S/O.AYYAPANKUTTY, KUZHALMANNATH HOUSE,
KUNNUPURAM P.O, KALPATHY, PALAKKAD DISTRICT.**
 - 2. SUJATHA, W/O.AYYAPPAN,
KUNNUPURAM P.O, KALPATHY,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.P.SANTHOSH (PODUVAL),
SRI.K.D.SREEVISAKH,
SMT.R.RAJITHA.**

RESPONDENTS/DEFACTO COMPLAINANT & STATE:

-
- 1. SREEJITHA, D/O.APPUKUTTAN,
KATTANI HOUSE, ERAVU P.O,
THRISSUR TALUK, THRISSUR DISTRICT-680 620.**
 - 2. STATE OF KERALA,
REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**R1 BY ADV. SRI.M.REVIKRISHNAN
R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE A:- CERTIFIED COPY OF THE FINAL REPORT FILED BY THE POLICE IN CRIME NO. 838/2013 OF ANTHIKKAD POLICE STATION, THRISSUR.

ANNEXURE B:- TRUE COPY OF THE MEDIATION AGREEMENT ENTERED INTO AT THE MEDIATION CENTRE, THRISSUR.

ANNEXURE C:- AN AFFIDAVIT FILED BY THE 1ST RESPONDENT.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Crl.M.C. No.61 of 2015
.....

Dated this the 22nd day of January, 2015

ORDER

~~~~~

This is a petition filed under Section 482 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.838/2013 of Anthikkad Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-A final report in Crime No.838/2013 of Anthikkad Police Station as against the petitioners and all further proceedings based on it in C.C.2770/2013 pending before the Judicial First Class Magistrate's Court-II, Thrissur, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who

is the wife of the 1<sup>st</sup> petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

5. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 1<sup>st</sup> respondent herein, and learned Public Prosecutor.

6. 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 complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

7. The defacto complainant, who is the 1<sup>st</sup> 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 complaints against the petitioners and, therefore, 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.

8. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against the petitioners, 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-A final report in Crime No.838/2013 of Anthikkad Police Station as against the petitioners and all further proceedings based on it in C.C.2770/2013 pending before the Judicial First Class Magistrate's Court-II, Thrissur are hereby quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/22/01

*// True Copy //*

*PA to Judge*