

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

Crl.MC.No. 87 of 2015

**CRIME NO. 1573/2012 OF KOTTIYAM POLICE STATION OF FIRST CLASS MAGISTRATE
COURT - II, KOLLAM.**
.....

PETITIONER(S):

- 1. SHEEJA, AGED 29 YEARS, D/O AMANULLA,
85-GANDHI NAGAR, H & C COMPOUND,
PALLITHOTTAM P.O., KOLLAM - 691 606.
(DE-FACTO COMPLAINANT)**
- 2. ANSHAD, 31 YEARS, S/O. ABDULRASHEED,
PUTHUVEEDU, AMAKKODE, DECENT JN.,
THRIKKOVIL VATTOM, MUKHATHALA P.O., KOLLAM.
(1ST ACCUSED)**
- 3. SABEESATHU BEEVI, 55 YEARS,
W/O. ABDULRASHEED, PUTHUVEEDU,
AMAKKODE, DECENT JN., THRIKKOVIL VATTOM,
MUKHATHALA P.O., KOLLAM.(2ND ACCUSED)**
- 4. SULEKHA, 35 YEARS, D/O. ABDULRASHEED,
PUTHUVEEDU, AMAKKODE, DECENT JN.,
THRIKKOVIL VATTOM, MUKHATHALA P.O., KOLLAM.
(3RD ACCUSED)**

**BY ADVS.SRI.V.JAYAPRADEEP
SRI.SHANE WILFRED MORRIS**

RESPONDENT:

**STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE KOTTIYAM,
THROUGH THE GOVERNMENT PLEADER,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1: COPY OF THE F.I.R IN CR.NO.1573/2012 OF KOTTIYAM PS.

**ANNEXURE A2: COPY OF THE AGREEMENT MADE AT KOLOORVILA MUSLIM
JAMA-ATH DATED 22.9.14.**

RESPONDENT'S ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.87 2015
.....

Dated this the 19th day of March, 2015

ORDER

~~~~~

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

2. The 1<sup>st</sup> petitioner is the *defacto complainant* and petitioners 2 to 4 are the accused in Crime No.1573/2012 of Kottiyam Police Station registered for the offences punishable under Sections 323, 324 and 498A read with Section 34 of the Indian Penal Code.

3. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A1 FIR in Crime No.1573/2012 of Kottiyam Police Station as against petitioners 2 to 4, who are the husband, mother-in-law and sister-in law of the 1<sup>st</sup> petitioner, and all further proceedings

based on it pending before the Judicial First Class Magistrate's Court-II, Kollam, quashed.

4. The allegation against petitioners 2 to 4 is that they had tortured and harassed 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 and learned Public Prosecutor.

6. According to the petitioners, all the matters in dispute between the 1<sup>st</sup> petitioner and petitioners 2 to 4 have been amicably settled and presently, the 1<sup>st</sup> petitioner has no complaints against petitioners 2 to 4 and, therefore, the proceedings against petitioners 2 to 4 may be quashed.

7. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against petitioners 2 to 4, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this CrI.M.C. is allowed and Annexure-A1 FIR in Crime No.1573/2012 of Kottiyam Police Station as against petitioners 2 to 4 and all further proceedings based on it pending before the Judicial First Class Magistrate's Court-II, Kollam, are hereby quashed.

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

aks/19/03

[True copy]

P.A. to Judge