

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

**PRESENT:**

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

**TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936**

**Crl.MC.No. 217 of 2015 ()**

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**CC. NO.103/2014 OF CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD.**

**.....**

**PETITIONER/ACCUSED:**

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**T. SASI, SON OF KESAVAN KUTTY (LATE),  
AGED 43 YEARS, KAKKAT HOUSE,  
WEST YAKKARA, PALAKKAD - 678 001.**

**BY ADV. SRI.JACOB SEBASTIAN.**

**RESPONDENTS/COMPLAINANT & STATE:**

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- 1. SHOBANA, WIFE OF T. SASI,  
AGED 36 YEARS, KAKKAT HOUSE,  
WEST YAKKARA, PALAKKAD- 678 001.**
- 2. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**R1 BY ADV. SMT.SHAMSEERA C.ASHRAF.  
R2 BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 20-01-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**APPENDIX**

**PETITIONER'S ANNEXURES:-**

**ANNEXURE A1      COPY OF THE FINAL REPORT IN C.C. NO.103/2014 OF  
THE COURT OF THE CHIEF JUDICIAL MAGISTRATE  
OF PALAKKAD.**

**ANNEXURE A2      COPY OF THE ORIGINAL AFFIDAVIT FILED BY THE  
1ST RESPONDENT.**

**RESPONDENT'S ANNEXURES:-                      NIL.**

**//TRUE COPY//**

**P.S. TO JUDGE**

**rs.**

**B. KEMAL PASHA, J.**

.....  
Crl.M.C. No.217 of 2015  
.....

*Dated this the 20<sup>th</sup> day of January, 2015*

**ORDER**

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

2. Petitioner is the accused in Crime No.537/2014 of Town North Police Station, Palakkad registered for the offence punishable under Section 498A of the Indian Penal Code.

3. Petitioner has come up with this petition under Section 482 Cr.P.C. for getting Annexure-A1 final report in Crime No.537/2014 of Town North Police Station, Palakkad as against the petitioner and all further proceedings based on it in C.C.103/2014 pending before the Judicial First Class Magistrate's Court, Palakkad, quashed.

4. The allegation against the petitioner is that he has tortured and harassed the de facto complainant, who is his wife, and treated her with cruelty within the meaning of

Section 498A IPC, by demanding more dowry, after misappropriating her entire gold ornaments and money.

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

6. 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.

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 petitioner have been amicably settled and, that she has no complaints against the petitioner 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. Through a settlement the petitioner and the 1<sup>st</sup> respondent are living together as husband and wife and are leading a peaceful married life. 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 Final Report in Crime No.537/2014 of Town North Police Station, Palakkad as against the petitioner and all further proceedings based on it in C.C.103/2014 pending before the Judicial First Class Magistrate's Court, Palakkad are hereby quashed.

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

aks/20/01