

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

Crl.MC.No. 653 of 2015

**CMP 8312/2014 of JUDICIAL FIRST CLASS MAGISTRATRE COURT, VADAKKANCHERRY
CRIME NO. 6/2015 OF PAZHAYANNUR POLICE STATION , TRISSUR**

PETITIONER(S)/ACCUSED:

- 1. UNNIKRISHNAN, AGED 36 YEARS
S/O.LATE RAMANKUTTY NAIR, THOTTASSERY HOUSE
THIRUVILWAMALA POST, THALAPPILLY TALUK
THRISSUR DISTRICT.**
- 2. VALSALA, AGED 56 YEARS,
W/O.LATE RAMANKUTTY NAIR, THOTTASSERY HOUSE
THIRUVILWAMALA POST, THALAPPILLY TALUK
THRISSUR DISTRICT.**

BY ADV. SRI.R.SREEHARI

RESPONDENT(S)/DEFACTO COMPLAINANT & STATE:

- 1. PREETHI, AGED 26 YEARS
D/O.NARAYANA SWAMI, PREETHI MANDIRAM
THIRUVILWAMALA POST, THALAPPILLY TALUK
THRISSUR DISTRICT. PIN-680 588.**
- 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
THROUGH THE SUB INSPECTOR OF POLICE
PAZHAYANNUR POLICE STATION, PAZHAYANNUR POST
THRISSUR DISTRICT. PIN-680 587.**

**R1 BY ADV. SRI.K.RAJESH SUKUMARAN
R2 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 11-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 653 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1- CERTIFIED COPY OF FIR IN CRIME NO.6/2015 OF PAZHAYANNUR
POLICE STATION ALONG WITH CMP 8312/2014 OF JFCMC
WADAKKANCHERY FILED BY THE FIRST RESPONDENT.**

ANNEXURE A2- AFFIDAVIT OF THE 1ST RESPONDENT.

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 653 of 2015

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Dated this the 11th day of February, 2015

ORDER

Petitioners are accused in Crime No.6 of 2015 of the Pazhayannur Police Station registered for the offence punishable under Section 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting all proceedings in C.M.P.No.8312/14 of the Judicial First Class Magistrate's Court, Wadakkanchery and Annexure-I FIR based on it, in Crime No No.6/15 of the Pazhayannur Police Station, quashed.

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 complaints 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 complaints against the petitioners, and, hence, all 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. 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 all proceedings in C.M.P.No.8312/14 of the Judicial First Class Magistrate's Court, Wadakkanchery and Annexure-I FIR based on it, in Crime No No.6/15 of the Pazhayannur Police Station, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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