

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

Crl.MC.No. 814 of 2015

CC 1142/2014 of J.M.F.C.,ALATHUR
CRIME NO. 1891/2013 OF ALATHUR POLICE STATION , PALAKKAD

PETITIONER/ACCUSED:

PRADEESH AGED 28 YEARS
S/O.VELAYUDHAN, PAYITTAMKUNNAM HOUSE, MELARCODE P.O.
ALATHUR, PALAKKAD.

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENTS/DEFACTO COMPLAINANT AND STATE:

-
1. DEEPTHI, AGED 22 YEARS
D/O.PONNU, PAYITTAMKUNNAM HOUSE, MELARCODE P.O.
ALATHUR, PALAKKAD, 678541.
 2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

R1 BY ADV. SRI.P.M.RAFIQ
R2 BY PUBLIC PROSECUTOR, SHRI.JIBU P THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
12-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 814 of 2015 ()

APPENDIX

PETITIONER'S EXHIBITS :

ANNEXURE-A: THE TRUE COPY OF THE FINAL REPORT IN CRIME NO.1891/2013
OF ALATHUR POLICE STATION OF PALAKKAD DISTRICT IN
C.C.NO.1142/2014 ON THE FILE OF THE COURT OF JUDICIAL
FIRST CLASS MAGISTRATE, ALATHUR.

ANNEXURE-B: AFFIDAVIT SWORN BY THE 1ST RESPONDENT HEREIN
EVIDENCING THE AFORESAID SETTLEMENT.

RESPONDENTS' EXHIBITS : NIL

dl

// TRUE COPY //

PA to Judge

B.KEMAL PASHA, J.

Crl.M.C. No.814 of 2015 E

Dated this the 12th day of March 2015

ORDER

Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A final report in Crime No.1891/2013 of Alathur Police Station and all further proceedings based on it, in C.C. No.1142 of 2014 of the Judicial First Class Magistrate's Court, Alathur, quashed.

2. 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 of the Indian Penal Code.

3. According to the petitioner, the matter has been amicably

settled between him and the de-facto complainant, who is the first respondent herein. According to the petitioner, the matter has been amicably settled and they have filed a joint divorce petition before the Family Court.

4. The first respondent has filed an affidavit stating that the matter has been amicably settled and that all the disputes between them have been settled. She has no objection in quashing Annexure A final report and all further proceeding in C.C. No.1142 of 2014. The first respondent has entered appearance through her counsel. The learned counsel for first respondent also endorses the fact that the affidavit has been sworn in by the second respondent. When the matter has been amicably settled between the parties, being a matrimonial dispute, this Court is of the view that it is just and proper in the interest of justice, to quash Annexure A final report and all further proceedings in C.C. No.1142 of 2014 of the Judicial First Class Magistrate's Court, Alathur.

In the result, this Crl.M.C. is allowed. Annexure A final report and all further proceedings in C.C. No.1142 of 2014 of the Judicial First Class Magistrate's Court, Alathur, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge