

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Crl.MC.No. 815 of 2015

**CC 356/2014 of CHIEF JUDICIAL MAGISTRATE COURT, MANJERI
CRIME NO.744/2013 OF MANJERI POLICE STATION**

PETITIONER(S)/ACCUSED 1&2:

- 1. SOMARAJ.K, AGED 31 YEARS,
S/O.VELU NAIR, KAILASAM, KOODATHINGAL P.O.
THRIPPANACHI, MANJERI, MALAPPURAM-673641.**
- 2. SASIKALA DEVI, AGED 60 YEARS
S/O.VELU NAIR, KAILASAM, KOODATHINGAL P.O.
THRIPPANACHI, MANJERI, MALAPPURAM-673641.**

BY ADV. SRI.P.VINODKUMAR

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA
REP.BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM-682031.**
- 2. RESHMA, AGED 22 YEARS
D/O.RADHAKRISHNAN, AMMOTH HOUSE, VAZHAYOOR P.O.
MALAPPURAM-673633.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS
R2 BY ADV. SRI.T.C.SANTHILAL**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Crl.MC.No. 815 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE-A1: CERTIFIED COPY OF THE FINAL REPORT IN C.C.NO.356/14
PENDING BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT,
MANJERI.**

ANNEXURE-A2: TRUE COPY OF THE AGREEMENT 8.1.2015.

ANNEXURE-A3: AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

.....
Crl.M.C No.815 of 2015

.....
Dated this the 11th day of March, 2015.

ORDER

Petitioners are accused in Crime No.744 of 2013 of the Manjeri Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A1 Final Report in Crime No.744 of 2013 of the Manjeri Police Station and all further proceedings based on it, in C.C.No.356 of 2014 pending before the Chief Judicial Magistrate's Court, Manjeri 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 2nd 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 2nd 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 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.

7. 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-A1 Final Report in Crime No.744 of 2013 of the Manjeri Police Station and all further proceedings based on it, in C.C.No.356 of 2014 pending before the Chief Judicial Magistrate's Court. Manjeri are hereby quashed.

Sd/-

B.KEMAL PASHA, JUDGE

smm

// True Copy //

PA to Judge

