

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Crl.MC.No. 827 of 2015 ()

**CC 1045/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, CHAVAKKAD
CRIME NO. 436/2013 OF PAVARATTY POLICE STATION, THRISSUR**

PETITIONERS/ACCUSED :

1. **REGHU, AGED 40 YEARS
S/O. MADHAVAN, THACHANKULANGARA HOUSE
KANNAMKKADE DESOM, VENGIDANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**
2. **THANKAMANI, AGED 70 YEARS
W/O. MADHAVAN, THACHANKULANGARA HOUSE
KANNAMKKADE DESOM, VENGIDANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**
3. **REMA, AGED 42 YEARS
D/O. MADHAVAN, THACHANKULANGARA HOUSE
KANNAMKKADE DESOM, VENGIDANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**
4. **REJEESH, AGED 32 YEARS
S/O. MADHAVAN, THACHANKULANGARA HOUSE
KANNAMKKADE DESOM, VENGIDANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENTS/STATE/DEFACTO COMPLAINANT :

1. **STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.**
2. **RAJI, AGED 30 YEARS
D/O. SEKHARAN, KALLAYIL HOUSE
KANNOTH DESOM, VENGIDANGU VILLAGE
CHAVAKKAD TALUK, THRISSUR DISTRICT-680 510.**

**R1 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS
R2 BY ADV. SRI.V.V.JOY**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A : COPY OF THE FIR IN CRIME NO. 436/2013 REGISTERED BY THE
PAVARATTY POLICE STATION.**

**ANNEXURE B COPY OF THE FINAL REPORT IN CRIME NO. 436/2013 OF THE
PAVARATTY POLICE STATION.**

ANNEXURE C COPY OF THE AFFIDAVIT FILED BY THE 2ND RESPONDENT.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B.KEMAL PASHA, J.

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CRL.M.C. No.827 of 2015

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Dated this the 4th day of March, 2015

ORDER

Petitioners are accused in Crime No.436 of 2013 of the Pavaratty Police Station, registered for the offences punishable under Sections 498A and 506 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-B Final Report in Crime No.436 of 2013 of the Pavaratty Police Station and all further proceedings based on it in C.C.No.1045 of 2013 pending before the Judicial First Class Magistrate's Court, Chavakkad , 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-B Final Report in Crime No.436 of 2013 of the Pavaratty Police Station and all further proceedings based on it, in C.C.No.1045 of 2013 pending before the Judicial First Class Magistrate's Court, Chavakkad, are hereby quashed.

Sd/-
B. KEMAL PASHA
JUDGE

DSV/4/3/15

// True Copy //

P.A. To Judge

CRL.M.C.No.827 of 2015

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