

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Crl.MC.No. 1023 of 2015 ()

**CC 532/2013 ON THE PENDING OF JUDICIAL FIRST CLASS MAGISTRATE - I,
CHALAKUDY**

PETITIONERS/ACCUSED 1 TO 3 :

- 1. SACHIDANANDAN, AGED 39 YEARS,
S/O.RUGHMANIYAMMA, NATTUVETIL HOUSE,
PUTHENCHIRA VILLAGE
PUTHENCHIRA MANIYANKAVU DESOM P.O.,
KANNIKULANGAR - PIN: 680682.**
- 2. RUGHMANIYAMMA, AGED 68 YEARS,
NJATTUVETIL HOUSE, PUTHENCHIRA VILLAGE,
PUTHENCHIRA MANIYANKAVU DESOM, P.O.KANNIKULANGARA
PIN: 680 682.**
- 3. LATHA LAKSHMI, AGED 49 YEARS,
W/O.JAMBUNADHAN, CHERATTU HOUSE, PUTHENCHIRA VILLAGE,
P.O.KOMBATHUKADAVU, PIN: 680682.**

BY ADV. SRI.P.V.PAULSON

RESPONDENTS/STATE AND DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682031.**
- 2. RAMYA K.,
D/O.KRISHNADAS, RESIDING AT NJATTUVETIL HOUSE
PUTHENCHIRA VILLAGE, PUTHENCHIRA MANIYANKAVU DESOM,
P.O.KANNIKULANGARA, PIN: 680 682.**

**R1 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS
R2 BY ADV. SRI.SABU PULLAN**

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

Crl.MC.No. 1023 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**A1: THE CERTIFIED COPY OF THE FINAL REPORT FILED BY THE MALA POLICE IN
C.C.NO.532/2013.**

A2: THE TRUE COPY JUDGMENT DATED 8/12/2014 IN RPFC NO.192/2014.

A3: AFFIDAVIT OF THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B.KEMAL PASHA, J.

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Crl.M.C. No. 1023 of 2015

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Dated this the 3rd day of March, 2015

ORDER

Petitioners are accused in Crime No.1253 of 2012 of the Mala Police Station registered for the offences punishable under Sections 406, 498A and 506(i) 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 Annexure-1 Final Report in Crime No.1253 of 2012 of the Mala Police Station and all further proceedings based on it in C.C.No.532 of 2013 pending before the Judicial First Class Magistrate's Court, Chalakudy, 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, after misappropriating her entire gold ornaments and money.

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. Through a settlement, the 1st petitioner and the 2nd

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 Annexure-1 Final Report in Crime No.1253 of 2012 of the Mala Police Station and all further proceedings based on it in C.C.No.532 of 2013 pending before the Judicial First Class Magistrate's Court, Chalakudy, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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