

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

Crl.MC.No.1149 of 2015

(CRIME NO.1347/2013 OF PARAVOOR POLICE STATION,KOLLAM).

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PETITIONERS/ACCUSED 1 TO 3 AND DEFACTO COMPLAINANT:

1. **RENJITH.R,AGED 29 YEARS,S/O.RATHEESH KUMAR,
RENJITH BHAVAN,THAZHAM MIDDLE,
CHATHANNOOR P.O.,KOLLAM - 691 572.**
2. **RADHAMONY,AGED 51 YEARS,W/O.RATHEESHKUMAR,
RENJITH BHAVAN,THAZHAM MIDDLE,
CHATHANNOOR P.O.,KOLLAM - 691 572.**
3. **PRATHEESHKUMAR,AGED 35 YEARS,
S/O.RATHEESHKUMAR,RENJITH BHAVAN,
THAZHAM MIDDLE,CHATHANNOOR P.O.,KOLLAM - 691 572.**
4. **MONISHA,AGED 25 YEARS,D/O.MOHANAN,
KONGAL CHERRI,KOTTAPPURAM VILLAGE,
KOLLAM TALUK,NOW RESIDING AT RENJITH BHAVAN,
THAZHAM MIDDLE,CHATHANNOOR P.O.,KOLLAM - 691 572.**

BY ADV.SRI.S.M.ALTHAF

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,KOCHI-682 031.**

BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Crl.MC.No.1149 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE A1: CERTIFIED COPY OF THE CHARGE SHEET DATED 22.10.2013
SUBMITTED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE
COURT.**

**ANNEXURE A2: COPY OF THE AFFIDAVIT OF THE 4TH PETITIONER
DATED 23.2.2015.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

B.KEMAL PASHA, J.

Crl.M.C.No.1149 of 2015

Dated this the 31st day of March 2015

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure seeking to quash Annexure AI charge sheet in Crime No.1347/2013 of Paravoor Police Station and all further proceedings in C.C. No.1854/2013 of the Judicial First Class Magistrate's Court, S.Paravur as against the petitioners. Alleging cruelty within the meaning of Section 498A of the I.P.C., on the wife of the first petitioner, a crime was registered as Crime No.1347/2013 for the offences under Sections 498A, 294, 323 and 506 read with Section 34 of the Indian Penal Code. The charge sheet was filed in the matter and presently, the same is pending before the Judicial First Class Magistrate's Court, S.Paravur as

C.C. No.1854/2013.

2. It is submitted that the entire disputes between the parties have been amicably settled and presently, the *de-facto complainant* and the first petitioner are residing together as wife and husband. Annexure-II affidavit has also been produced to show that the *de-facto complainant* has presently no complaints, as against the first petitioner.

3. Considering the fact that the parties have resolved all the disputes between them and are residing together, I am of the view that this is a fit case wherein Annexure- A1 Final Report in Crime No.1347/2013 of Paravoor Police Station and all further proceedings in C.C. No.1854/2013 of the Judicial First Class Magistrate's Court, S.Paravur, can be quashed under Section 482 of the Code of Criminal Procedure.

In the result, this Crl.M.C. is allowed and Annexure AI Final Report in Crime No.1347/2013 of Paravoor Police Station and all

further proceedings in C.C. No.1854/2013 of the Judicial First class Magistrate's Court, S.Paravur, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge