

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

Crl.MC.No. 1196 of 2015

CC 1192/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-III, PUNALUR

PETITIONER(S)/ACCUSED:

1. **SANTHOSH, AGED 38 YEARS**
S/O.VASUDEVAN PILLAI, SANTHOSH BHAVAN
NADUTHERI PATTAZHY, PATHANAPURAM TALUK
KOLLAM DISTRICT.
2. **LALITHA KUMARI, AGED 34 YEARS,**
W/O.VASUDEVAN PILLAI, SANTHOSH BHAVAN
NADUTHERI PATTAZHY, PATHANAPURAM TALUK
KOLLAM DISTRICT.

BY ADV. SRI.SYAM J SAM

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

1. **PRIYA, AGED 33 YEARS**
GOMATHY BHAVAN, ALAKKUZHY MURI, THALAVOOR VILLAGE
PATHANAPURAM TALUK, KOLLAM DISTRICT-691001.
2. **STATE OF KERALA**
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

R1 BY ADV. SRI.JITHIN VARGHESE

R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PJ

Crl.MC.No. 1196 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEXURE A1:THE CERTIFIED COPY OF THE CHARGE SHEET IN CC.NO.1192/2012 ON
THE FILE OF THE JFCM III PUNALUR**

**ANNEXURE A2:AN AFFIDAVIT SWORNN BY THE 1ST RESPONDENT STATING THE
SETTLEMENT OF ALL THE DISPUTES**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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CRL.M.C. No.1196 of 2015

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Dated this the 5th day of March, 2015

ORDER

Petitioners are accused in Crime No.506 of 2012 of the Kunnikode 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.506 of 2012 of the Kunnikode Police Station and all further proceedings based on it, in C.C.No.1192 of 2012 pending before the Judicial First Class Magistrate's Court-III, Punalur, 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 1st 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 1st 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 1st 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-A1 Final Report in Crime No.506 of 2012 of the Kunnikode Police Station and all further proceedings based on it, in C.C.No.1192 of 2012 pending before the Judicial First Class Magistrate's Court-III, Punalur, are hereby quashed.

Sd/-
B. KEMAL PASHA
JUDGE

CRL.M.C.No.1196 of 2015

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