

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

CrI.MC.No. 1403 of 2015 ()

CRIME NO. 1198/2014 OF VELLIKULANGARA POLICE STATION, THRISSUR DISTRICT

PETITIONER(S)/ACCUSED:

1. BIJU, AGED 29 YEARS, S/O.SUDHARMAN,
RESIDING AT 'SUDHA GIRI', KUTTIKADU,
KOLLAM.
2. SUDHARMAN, AGED 61 YEARS, S/O.VASAVAN,
RESIDING AT 'SUDHA GIRI', KUTTIKADU, KOLLAM.
3. PRASANNA V, AGED 55 YEARS, W/O.SUDHARMAN,
RESIDING AT 'SUDHA GIRI', KUTTIKADU, KOLLAM.

**BY ADVS.SRI.K.M.SREEJITH
SRI.TA.PRAKASH**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.PIN-682 031
2. SUB INSPECTOR OF POLICE,
VELLIKULANGARA POLICE STATION, THIRUR SECTION,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.PIN-682 031
3. GEETHU SURESH, D/O.SURESH, AGED 25 YEARS,
PUTHUPPULLY HOUSE, MATTATHUR VILLAGE,
KORECHAL DESOM, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.PIN-680 001

**R1 & R2 BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S.
R3 BY ADV. SRI.SANU.S.PANICKER**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 1403 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES

**ANNEX-A1: CERTIFIED COPY OF THE TRUE COPY OF FIR NO.1198/2014
REGISTERED BY THE 2ND RESPONDENT DATED 17.11.2014**

**ANNEX-A2: TRUE COPY OF THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT
DATED 2.3.2015**

RESPONDENT(S)' ANNEXURES; NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

B.KEMAL PASHA, J.

Crl.M.C. No.1403 of 2015 A

Dated this the 20th day of March 2015

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure seeking to quash Annexure-AI F.I.R. in Crime No.1198/2014 of Vellikulangara Police Station, Thrissur and all connected proceedings initiated as against the petitioners. Alleging cruelty within the meaning of Section 498A read with Section 34 of the Indian Penal Code, on the wife of the first petitioner, a crime was registered as Crime No.1198/2014 for the offence under Section 498A read with Section 34 of the Indian Penal Code.

2. It is submitted by the learned counsel for the petitioners that presently the *de-facto complainant*/3rd respondent herein and the first petitioner are residing together as wife and husband. Annexure-A2 affidavit has also been produced to show that the 3rd respondent has presently no complaints, as against the first petitioner.

3. The 3rd respondent has also entered appearance. The learned counsel for the 3rd respondent also submits that the matter has been amicably settled and the parties are living together peacefully at present. 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-AI F.I.R. in Crime No.1198/2014 of Velikulangara Police Station, Thrissur and all connected proceedings initiated as against the petitioners, can be quashed under Section 482 of Code of Criminal Procedure.

In the result, this Crl.M.C. is allowed and Annexure-AI F.I.R. in Crime No.1198/2014 of Velikulangara Police Station, Thrissur and all connected proceedings initiated as against the petitioners, are quashed.

**Sd/-
B.KEMAL PASHA,
JUDGE**

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