

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

CrI.MC.No. 1884 of 2015 ()

**CC 1299/2012 of JUDICIAL FIRST CLASS MAGISTRATE COURT, KATTAKADA
CRIME NO. 248/2012 OF MARANALLOR POLICE STATION, THIRUVANANDAPURAM**

PETITIONER/ACCUSED :

**JIJU RAJ, AGED 39 YEARS,
S/O.VINCENT, JIJU BHAVAN, ARAYATHAZHA
AZHIKODE, CHENGAKONAMMURY, KARAKULAM VILLAGE,
NEDUMANGAD, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. SUB INSPECTOR OF POLICE,
MARANELLOOR POLICE STATION, THIRUVANANTHAPURAM.**
- 3. JAYARANI,
W/O.JIJU RAJ, MURIKKUVILA HOUSE, MALAMURINGAVILA VEEDU,
MUKKOOTTUKAL, ARUMANA VILLAGE, KANYAKUMARI DISTRICT
TAMILNADU.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS
R3 BY ADV. SRI.R.ARUN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

Crl.MC.No. 1884 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A1 : TRUE COPY OF THE FIR IN CRIME NO.248 OF 2012 OF
MARANELLOOR POLICE STATION.**

ANNEXURE A2: TRUE COPY OF THE FINAL REPORT IN ANNEXURE A1.

ANNEXURE A3 : COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B. KEMAL PASHA, J.

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Crl.M.C. No.1884 of 2015
.....

Dated this the 8th day of April, 2015

ORDER

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This is a petition filed under Section 482 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.248/2012 of Maranelloor Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

3. Petitioner has come up with this petition under Section 482 Cr.P.C. for getting Annexure-A1 FIR and Annexure-A2 Final Report in Crime No.248/2012 of Maranelloor Police Station as against the petitioner and all further proceedings based on it in C.C.1299/2012 pending before the Judicial First Class Magistrate's Court, Kattakkada, quashed.

4. The allegation against the petitioner is that he has tortured and harassed the de facto complainant, who is his wife, and treated her with cruelty within the meaning of

Section 498A IPC, by demanding more dowry.

5. Heard learned counsel for the petitioner, the learned counsel for the defacto complainant, who is the 3<sup>rd</sup> respondent herein, and learned Public Prosecutor.

6. According to the petitioner, all the matters in dispute between the petitioner and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioner and, therefore, the proceedings against the petitioner may be quashed.

7. The defacto complainant, who is the 3<sup>rd</sup> respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner and, therefore, 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.

8. Through the settlement, the petitioner and the 3<sup>rd</sup> 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 petitioner, 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 FIR and Annexure-A2 Final Report in Crime No.248/2012 of Maranelloor Police Station as against the petitioner and all further proceedings based on it in C.C.1299/2012 pending before the Judicial First Class Magistrate's Court, Kattakkada are hereby quashed.

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

aks/08/04

*// True Copy //*

*PA to Judge*