

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937**

**Crl.MC.No.1947 of 2015**  
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**CC NO.1999/2013 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT,  
PARAPPANANGADI.  
CRIME NO.283/2011 OF PARAPPANGADI POLICE STATION,MALAPPURAM.**

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**PETITIONER:**  
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**RAJITH RAMAKRISHNAN,AGED 37 YEARS,  
S/O.E.K.RAMAKRISHNAN,RESIDING AT PLOT NO.19/B,  
R & D HOUSING SOCIETY,KALAS,PUNE-15**

**BY ADV.SRI.K.P.SUDHEER**

**RESPONDENTS/STATE & COMPLAINANTS:**  
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- 1. STATE OF KERALA,  
REPRESENTED BY ITS PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,ERNAKULAM,  
REPRESENTING SUB INSPECTOR OF POLICE,  
PARAPPANANGADI POLICE STATION,  
MALAPPURAM DISTRICT,PIN-676 303**
- 2. NISHI P.B,AGED 33 YEARS,  
D/O.PAPPAYIL BALAKRISHNAN,  
SREELAYAM,VALLIKUNNU P.O,  
MALAPPURAM DISTRICTR,PIN-673 314.**

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS  
R2 BY ADV.SRI.ARUN MATHEW VADAKKAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 07-04-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**pk**

**Crl.MC.No.1947 of 2015**  
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**APPENDIX**

**PETITIONER'S ANNEXURES:**  
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**ANNEXURE A1: CERTIFIED COPY OF FIRST INFORMATION REPORT  
DATED 03.08.2011 IN CRIME NO.283/2011 OF PARAPPANAGADI  
POLICE STATION.**

**ANNEXURE A2: CERTIFIED COPY OF FINAL REPORT DATED 12.3.2012 IN CRIME  
NO.283/11 OF PARAPPANAGADI POLICE STATION.**

**ANNEXURE A3: TRUE COPY OF OP (HM) NO.110/2015 FILED BY THE PETITIONER  
AND 2ND RESPONDENT BEFORE THE FAMILY COURT, TIRUR.**

**ANNEXURE A4: AFFIDAVIT DATED 5.3.2015 OF THE 2ND RESPONDENT.**

**RESPONDENT'S ANNEXURES:**  
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**NIL**

**//TRUE COPY//**

**P.S. TO JUDGE**

**pk**

**B.KEMAL PASHA, J.**

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Crl.M.C. No. 1947 of 2015

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Dated this the 7<sup>th</sup> day of April, 2015

**ORDER**

Petitioner is the accused in Crime No.283 of 2011 of the Parappanangadi Police Station, Malappuram District, registered for the offence punishable under Section 498A read with Section 34 of the Indian Penal Code.

2. Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A1 FIR and Annexure-A2 Final Report in Crime No.283 of 2011 of the Parappanangadi Police Station, Malappuram District and all further proceedings based on it in C.C.No.1999 of 2013 pending before the Judicial First Class Magistrate's Court, Parappanangadi, quashed.

3. The allegation against the petitioner is that he has tortured and harassed the defacto complainant, who is the wife of the petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

4. Heard learned counsel for the petitioner, the learned

counsel for the defacto complainant, who is the 2<sup>nd</sup> respondent herein, and the learned Public Prosecutor.

5. 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.

6. The defacto complainant, who is the 2<sup>nd</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, 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. 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.283 of 2011 of the Parappanangadi Police Station, Malappuram District and all further proceedings based on it in C.C.No.1999 of 2013 pending before the Judicial First Class Magistrate's Court, Parappanangadi, are hereby quashed.

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

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