

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. 2089 of 2015

**CC 94/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, MAVELIKKARA.,
CRIME NO. 694/2010 OF MAVELIKKARA POLICE STATION.**
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PETITIONER(S):

1. VIJAYAKUMAR, AGED 39 YEARS,
S/O.KRISHNA PILLAI, VIJAYAVILASOM HOUSE,
PERINGALA MURI, KAYAMKULAM VILLAGE,
KARTHIKAPPALLY TALUK.
2. VIJAYALAKSHMI, AGED 65 YEARS,
W/O.KRISHNA PILLAI, VIJAYAVILASOM HOUSE,
PERINGALA MURI, KAYAMKULAM VILLAGE,
KARTHIKAPPALLY TALUK.

BY ADV. SRI.K.JAYARAJ

RESPONDENT(S):

1. GANGASHREE, AGED 29 YEARS,
D/O.CHANDRASEKHARAN PILLAI,
CHANDRA BHAVANAM HOUSE,
KANDIYOOR MURI, MAVELIKKARA VILLAGE,
MAVELIKKARA TALUK - 676 003.
2. STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, MAVELIKKARA,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

**R1 BY ADVS. SRI.JOSEPH GEORGE
SRI.S.JAYAKRISHNAN
R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS**

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

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APPENDIX

ANNEXURE - I: TRUE COPY OF THE FINAL REPORT IN C.C.NO.94 OF 2011.

ANNEXURE - II: TRUE COPY OF THE AGREEMENT IN WRITING.

RESPONDENT'S ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 2089 of 2015

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Dated this the 7th day of April, 2015

ORDER

Petitioners are accused in Crime No.694 of 2010 of the Mavelikkara Police Station, Alappuzha District, registered for the offence punishable under Section 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-I Final Report in Crime No.694 of 2010 of the Mavelikkara Police Station, Alappuzha District and all further proceedings based on it in C.C.No.94 of 2011 pending before the Judicial First Class Magistrate's Court-I, Mavelikkara, 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. 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-I Final Report in Crime No.694 of 2010 of the Mavelikkara Police Station, Alappuzha District and all further proceedings based on it in C.C.No.94 of 2011 pending before the Judicial First Class Magistrate's Court-I, Mavelikkara, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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//True copy//

P.A to Judge