

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Crl.MC.No. 5758 of 2015 ()

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CC 469/2014 of JUDICIAL FIRST CLASS MAGISTRATE COURT, WADAKKANCHERRY
CRIME NO. 642/2011 OF WADAKKANCHERY POLICE STATION, TRISSUR DISTRICT
=====**

PETITIONERS/DEFACTO COMPLAINANT & ACCUSED:

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- 1. NISHA, AGED 27 YEARS, D/O.VIJAYAN AND W/O.BABU
THEKKOTT HOUSE, MANALITHARA
VADAKKANCHERY, THALAPPILLY TALUK, THRISSUR DISTRICT.**
 - 2. BABU, AGED 38 YEARS, S/O.SUKUMARAN
CHERUKUNNATHU HOUSE, KUTTENCHERY
ERUMAPETTY P.O., NELLUVAI VILLAGE, THALAPPILLY TALUK
THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT/STATE:

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STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI. JUSTIN JACOB

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 09-09-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONERS' EXHIBITS

**ANNEXURE-A. TRUE COPY OF THE FIR REGISTERED BY THE VADAKKANCHERY
POLICE IN CRIME NO.642/2011.**

**ANNEXURE-B. TRUE COPY OF THE FINAL REPORT FILED BY THE VADAKKANCHERY
POLICE IN CRIME NO.642/2011.**

**ANNEXURE-C. TRUE COPY OF THE SETTLEMENT ARRIVED AS BETWEEN THE
PETITIONERS DURING THE MEDITATION BEFORE THE FAMILY
COURT, THRISSUR.**

RESPONDENT'S EXHIBITS

NIL

TRUE COPY

P.A. TO JUDGE

SD

P. UBAID, J.

Crl.M.C.No.5758 of 2015

Dated this the 9th day of September, 2015

O R D E R

The defacto complainant and the accused in a prosecution involving the offence under Section 498A IPC jointly seek orders quashing the said prosecution on the ground of amicable settlement. The proceedings reveal that they have re-united and now they are leading a very happy matrimony. In such a situation, continuance of the prosecution will cause embarrassment and may create problems in matrimony. It may even defile their present happy matrimony. It is appropriate that the prosecution be quashed in such a situation.

In the result, this petition is allowed. The prosecution against the 2nd petitioner in C.C.No.469/2014, which now stands transferred to the register of long pending cases as L.P.No.44/2014 before the Judicial First Class Magistrate Court, Wadakkanchery will stand quashed under Section 482 Cr.P.C.

Sd/-

P. UBAID, JUDGE

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