

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

Crl.MC.No. 5439 of 2014 (D)

CMP 4208/2014 of J.M.F.C., KAYAMKULAM
CRIME NO. 1838/2014 OF KAYAMKULAM POLICE STATION , ALAPPUZHA

PETITIONER:

SUJANA R.NATH
D/O.REGHUNATHAN, ASWATHY VEEDU, MENAMBALLY MURI
PATHIYOOR VILLAGE, KARTHIKAPALLY TALUK
ALAPPUZHA DISTRICT.

BY ADV. SRI.AJITH MURALI

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM. 682 031.
2. THE CHIEF SUPERINTENDENT OF POLICE
ALAPPUZHA, ALAPPUZHA DISTRICT. 688 061.
3. THE DEPUTY SUPERINTENDENT OF POLICE
KAYAMKULAM, ALAPPUZHA DISTRICT. 688 001.
4. THE CIRCLE INSPECTOR OF POLICE
KAYAMKULAM POLICE STATION
ALAPPUZHA DISTRICT. 688 001.
5. THE SUB INSPECTOR OF POLICE
KAYAMKULAM POLICE STATION
ALAPPUZHA DISTRICT. 688 001.
6. RAJESH, AGED 29 YEARS
S/O.SASIDHARAN, PUTHUVEL PUTHEN VEEDU
KEERIKKADU THEKKU MURI, KANDALLOOR VILLAGE
KARTHIKAPALLY TALUK, ALAPPUZHA DISTRICT. 690 518.
7. SASIDHARAN, AGED 55 YEARS
PUTHUVEL PUTHEN VEEDU, KEERIKKADU THEKKU MURI
KANDALLOOR VILLAGE, KARTHIKAPALLY TALUK
ALAPPUZHA DISTRICT. 690 518.
8. SUMA, AGED 48 YEARS
W/O.SASIDHARAN, PUTHUVEL PUTHEN VEEDU
KEERIKKADU THEKKU MURI, KANDALLOOR VILLAGE
KARTHIKAPALLY TALUK, ALAPPUZHA DISTRICT. 690 518.

R6 -R 8 BY ADV. SRI.D.AJITHKUMAR
R1-5 BY PUBLIC PROSECUTOR, SHRI JIBU P THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
04-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

- ANNEXURE A- THE PHOTO COPY OF THE COMPLAINT IN C.M.P.NO.4208/
2014 FILED BY THE PETITIONER BEFORE THE JUDICIAL
FIRST CLASS MAGISTRATE COURT, KAYAMKULAM DATED
25.06.2014.
- ANNEXURE B- THE TRUE COPY OF THE FIR IN CRIME NO.1838/2014 OF
KAYAMKULAM POLICE STATION.

RESPONDENTS' EXHIBITS : NIL

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// TRUE COPY //

PA to Judge

B.KEMAL PASHA, J.

Crl.M.C.5439 of 2014

Dated this the 4th day of February 2015

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure seeking a direction to supervise and investigate Crime No.1838/2014 of Kayamkulam Police Station, as against respondents 6 to 8. Alleging cruelty within the meaning of Section 498A IPC against respondents 6 to 8, a crime was registered as Crime No.1838/2014 for the offences under Sections 498A and 420 read with Section 34 of the Indian Penal Code.

2. The parties were referred for a mediation, where all the disputes between the parties have been amicably settled. Memorandum of Agreement was entered into between the parties. The Memorandum of Agreement has been accepted.

3. Heard learned counsel for the petitioner, who is the de-

facto complainant, the learned counsel for respondents 6 to 8 and the learned Public Prosecutor.

4. Considering the settlement arrived at in the mediation and the fact that they have resolved all the disputes between them, Annexure-B F.I.R. in Crime No.1838/2014 of Kayamkulam Police station and all further proceedings in the said crime, can be quashed under Section 482 of Code of Criminal Procedure.

In the result, this Crl.M.C. is allowed and Annexure-B F.I.R. in Crime No.1838/2014 of Kayamkulam Police station as against respondents 6 to 8 and all further proceedings based on it pending before the Judicial First Class Magistrate's Court, Kayamkulam, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge