

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

Crl.MC.No. 6026 of 2014

CC 1578/2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, THRISSUR.

PETITIONER(S)/ACCUSED:

- 1. RANJITH.V, AGED 39 YEARS,
S/O. KARINGAMADATHIL VIJAYAN,
TEMPLE ROAD, SREEVALSAM,
PERINGAVU VILLAGE, THRISSUR TALUK.**
- 2. VIJAYAN, AGED 68 YEARS,
S/O. SANKARA MENON, SREEVALSAM,
PERINGAVU VILLAGE, THRISSUR TALUK.**
- 3. SAKUNTALADEVI, AGED 67 YEARS,
W/O. VIJAYAN, SREEVALSAM,
PERINGAVU VILLAGE, THRISSUR TALUK.**

**BY ADVS.SRI.N.M.MADHU
SRI.P.P.HARRIS
SMT.C.S.RAJANI**

RESPONDENT(S)/STATE:

- 1. GIREESH, S/O. MADHAVANKUTTY,
KALAPPURAKKAL HOUSE, P.O. THAIKKATTUSSERY,
OLLUR VIA, THRISSUR - 680 306.**
- 2. GEETHA, D/O. MADHAVANKUTTY,
KALAPPURAKKAL HOUSE, P.O. THAIKKATTUSSERY,
OLLUR VIA, THRISSUR - 680 306.**
- 3. RAMANI, AGED 58 YEARS,
W/O. KALAPPURAKKAL MADHAVAN KUTTY,
THAIKKATTUSSERY DESOM, EDAKUNNI VILLAGE,
THRISSUR TALUK, THRISSUR DISTRICT - 680 306.**
- 4. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

**R1 TO R3 BY ADV. SRI.P.K.SAJEEV
R4 BY PUBLIC PROSECUTOR SRI.JIBU P THOMAS**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 29-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEXURE A :** TRUE COPY OF THE STATEMENT GIVEN BY THE
SECOND RESPONDENT TO THE INVESTIGATING OFFICER.
- ANNEXURE B:** TRUE COPY OF THE STATEMENT GIVEN BY THE
THIRD RESPONDENT TO THE INVESTIGATING OFFICER.
- ANNEXURE C :** CERTIFIED COPY OF THE FINAL REPORT FILED BEFORE
JUDICIAL FIRST CLASS MAGISTRATE COURT I, THRISSUR.
- ANNEXURE D :** TRUE COPY OF THE DECREE AND THE TERMS OF THE
MEDIATION SETTLEMENT WHICH FORMS PART OF THE
DECREE IN O.P.NO.1328/2011.
- ANNEXURE E :** PHOTOCOPY OF THE FIXED DEPOSIT RECEIPT.
- ANNEXURE F :** PHOTOCOPY OF THE RELEASED DEED NO.2117/1/14
DATED 19.6.2014.
- ANNEXURE G :** PHOTOCOPY OF THE STATEMENT OF MARKS ISSUED BY THE
UNIVERSITY OF CALICUT TO GANGA @ PREETHA.
- ANANEXURE H :** TRUE COPY OF THE REPORT UNDER SEC.173(8) OF THE CODE
OF CRIMINAL PROCEDURE.

RESPONDENT'S ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

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Crl.M.C. No.6026 of 2014
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Dated this the 29th day of January, 2015

ORDER

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

2. Petitioners are the accused in Crime No.521/2011 of Viyyur Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-C final report in Crime No.521/2011 of Viyyur Police Station as against the petitioners and all further proceedings based on it in C.C.1578/2011 pending before the Judicial First Class Magistrate's Court-I, Thrissur, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the wife of the 1<sup>st</sup> petitioner and

treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry. The wife of the 1<sup>st</sup> petitioner committed suicide by hanging.

5. Heard learned counsel for the petitioners, the learned counsel for respondents 1 to 3, and learned Public Prosecutor.

6. According to the petitioners, all the matters in dispute between the petitioners and respondents 1 to 3 have been amicably settled and presently, respondents 1 to 3 have no complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

7. Respondents 1 to 3, who are the brother, mother and sister of the deceased, have filed affidavits affirming that all the matters in dispute between them and the petitioners have been amicably settled and, therefore, they have no complaints against the petitioners and, therefore, all further proceedings in the matter referred to above can be quashed. Respondents 1 to 3 have entered appearance

through their counsel. The learned counsel for respondents 1 to 3 also endorses the fact that the affidavits have been sworn in by the said respondents on their own volition.

8. When all the matrimonial disputes have been settled between the parties and as respondents 1 to 3 have 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-C final report in Crime No.521/2011 of Viyyur Police Station as against the petitioners and all further proceedings based on it in C.C.1578/2011 pending before the Judicial First Class Magistrate's Court-I, Thrissur are hereby quashed.

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

aks/29/01

*// True Copy //*

*PA to Judge*