

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

Crl.MC.No. 6059 of 2014 ()

OP.NO. 353/2014 OF FAMILY COURT, THRISSUR

CC.NO. 1412/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PERUMBAVOOR

PETITIONER(S)/ACCUSED:

1. A.R.ULLAS, AGED 35 YEARS,
ADVOCATE, S/O.ATHIYARATH RAVEENDRAN,
VALIYAPARAMBU DESOM, KURUVILASSERY VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.
2. A.R.RAVEENDRAN, AGED 69 YEARS,
S/O.ATHIYARATH RAMAN, VALIYAPARAMBU DESOM,
KURUVILASSERY VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.

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

RESPONDENT(S)/STATE:

1. SIJI K.K., AGED 35 YEARS,
LEGAL ASSISTANT (SECRETARIAT),
D/O.KIZHAKKEPURAM KRISHNANKUTTY, PATTAL DESOM,
PERUMBAVOOR VILLAGE-683 548, ERNAKULAM DISTRICT,
NOW WORKING AT ASSISTANT LAW OFFICER, LAW WING,
TRAVANCORE PALACE, KASTURBA GANDHI MARG,
NEW DELHI-110 001.
2. STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM- 682 031.

R2 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Crl.MC.No. 6059 of 2014 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEX-A: TRUE COPY OF THE PETITION FILED UNDER SEC.13 B OF THE HINDU MARRIAGE ACT BEFORE THE FAMILY COURT, THRISSUR AS O.P.NO.353/2014.

ANNEX-B: TRUE COPY OF THE ORDER DATED 05.09.2014 PASSED BY THE FAMILY COURT, THRISSUR IN O.P.NO.353/2014.

ANNEX-C: CERTIFIED COPY OF THE CHARGE SHEET FILED BEFORE JUDICIAL FIRST CLASS MAGISTRATE COURT, PERUMBAVOOR.

ANNEX -D: ORIGINAL COPY OF THE AFFIDAVIT SIGNED BY THE FIRST RESPONDENT AND ATTESTED BY HER COUNSEL ADV. P.P.BABU.

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

B.KEMAL PASHA, J.

Crl.M.C.No.6059 of 2014 D

Dated this the 13th day of March 2015

ORDER

Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-C final report in Crime No.647/2014 of Perumbavoor Police Station and all further proceedings based on it, in C.C.1412/2014 pending before the Judicial First Class Magistrate's Court-I, Perumbavoor, quashed.

2. The allegation against the petitioners is that they have tortured and harassed the *defacto complainant*, who is the wife of the first petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

3. Heard learned counsel for the petitioner, the learned

counsel for the *defacto complainant*/1st respondent herein, and the learned Public Prosecutor.

4. 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.

5. The *defacto complainant*, who is the first 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.

6. 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-C final report in Crime No.647/2014 of Perumbavoor Police Station and all further proceedings based on it in C.C.1412/2014 pending before the Judicial First Class Magistrate's Court-I, Perumbavoor, are hereby quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

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// TRUE COPY //

PA to Judge