

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

Crl.MC.No. 6328 of 2014

C.C.NO.946/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, OTTAPPALAM

CRIME NO. 235/2014 OF OTTAPALAM POLICE STATION , PALAKKAD

PETITIONER(S)/ACCUSED:

1. JAYARAJ M.T, AGED 31 YEARS,
S/O.NARAYANAN.
2. DEVAYANI, AGED 55 YEARS,
W/O.NARAYANAN.
3. NARAYANAN, AGED 58 YEARS,
S/O.KRISHNAN, ALL RESIDING AT MANNIGALTHODI HOUSE,
OTHALUR ANGADI, PATTITHARA POST, TRITHALA
PALAKKAD DISTRICT.

BY ADV. SRI.R.SREEHARI

RESPONDENT(S)/COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE STATION HOUSE OFFICER,
OTTAPALAM POLICE STATION, OTTAPALAM- 679 101.
2. RESHMI T, AGED 20 YEARS,
D/O.PRABHAKARAN.V, THOTTATHIL HOUSE, PALAPPURAM POST,
OTTAPALAM, PIN-679 103.

R1 BY PUBLIC PROSECUTOR SRI.JIBU.P.THOMAS
R2 BY ADV. SRI.K.RAJESH SUKUMARAN

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1:** CERTIFIED COPY OF COMPLAINT CMP 2271/2014 FILED BY
THE 2ND RESPONDENT BEFORE JFCM COURT, OTTAPALAM.
- ANNEXURE A2:** CERTIFIED COPY OF FIR IN CRIME NO.235/2014 OF OTTAPALAM
POLICE STATION.
- ANNEXURE A3:** CERTIFIED COPY OF FINAL REPORT IN CRIME NO.235/2014 OF
OTTAPALAM POLICE STATION.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B.KEMAL PASHA, J.

Crl.M.C.No.6328 of 2014 C

Dated this the 14th day of January 2015

ORDER

The petitioners are the accused in C.C. No.946/2014 of the Judicial First Class Magistrate's Court, Ottapalam, for the offence punishable under Section 498A of the Indian Penal Code.

2. The allegation against the petitioners is that they have tortured and harassed the de-facto complainant, who is the wife of the 1st petitioner and treated her with cruelty, within the meaning of Section 498A of the Indian Penal Code.

3. According to the petitioners, the matter has been amicably settled between them and the de-facto complainant, who is the second respondent herein.

4. The second respondent has filed an affidavit stating that the matter has been amicably settled and that all the disputes between them have been settled. She has no objection in quashing

Annexure A2 F.I.R. and all the further proceeding in C.C. No.946/2014 of the Judicial First Class Magistrate's Court, Ottapalam. The second respondent has entered appearance through her counsel. The learned counsel for second respondent also endorses the fact that the affidavit has been sworn in by the second respondent. When the matter has been amicably settled between the parties, being a matrimonial dispute, this Court is of the view that it is just and proper in the interest of justice, to quash Annexure A2 F.I.R. and all further proceedings in C.C. No.946/2014 of the Judicial First Class Magistrate's Court, Ottapalam.

In the result, this Crl.M.C. is allowed. Annexure A2 F.I.R. and all further proceedings in C.C. No.946/2014 of the Judicial First Class Magistrate's Court, Ottapalam, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge