

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Crl.MC.No. 6355 of 2014 ()

CC.NO. 1018/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT.-II,
THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

N. RAJAMANI
S/O. NAVANEETHA KRISHNAN, AGED 27 YEARS, "MSNR-60"
MANACAUD SASTHA NAGAR, RESIDENCE ASSOCIATION
BHAGAVATHI GRAMAM, MANACAUD P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS/STATE & COMPLAINANT :

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

2. KRIPA
D/O. CHIDAMBARAM, SIVAKRIPA, SNRA - 50
NETTAYAM, THIRUVANANTHAPURAM DISTRICT - 695 001.

R1 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS

R2 BY ADVS. SRI.RAM MOHAN.G.

SRI.G.P.SHINOD

SRI.MANU V.

SRI.GOVIND PADMANAABHAN

SRI.AJIT G.ANJARLEKAR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 09-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

...2/-

Crl.MC.No. 6355 of 2014 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A- CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 398/13
 OF FORT POLICE STATION.**

**ANNEXURE B - TRUE COPY OF MEMORANDUM OF AGREEMENT DT. 23.6.14
 EXECUTED BETWEEN PETITIONER AND 2ND RESPONDENT IN
 THE MEDIATION IN OP NO. 280/13.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B.KEMAL PASHA, J.

Crl.M.C.No.6355 of 2014 F

Dated this the 9th day of April 2015

ORDER

The petitioner, who is the accused in Crime No.398/2013 of Fort police station, presently pending as C.C.No.1018/2014 of the Judicial First Class Magistrate's Court-II, Thiruvananthapuram, for the offence punishable under Section 498A read with Section 34 of the I.P. C, has come up with this petition for getting Annexure-A final report in the above Crime and all further proceedings in C.C.No.1018/2014 of the Judicial First Class Magistrate's Court-II, Thiruvananthapuram, quashed.

2. The allegation against the petitioner is that he has tortured and harassed the *defacto complainant*, who is his wife and treated her with cruelty, within the meaning of Section 498A of the

Indian Penal Code.

3. According to the petitioner, the matter has been amicably settled between him and the *defacto complainant*/second respondent herein, in a mediation and they have decided to file a joint divorce petition.

4. Heard the learned counsel for the petitioner, learned counsel for the *defacto complainant* and the learned Public Prosecutor.

5. The second respondent has filed an affidavit stating that the matter has been amicably settled and that she has no objection in quashing Annexure-A final report in Crime No.398/2013 and all further proceedings in C.C.No.1018/2014 of the Judicial First Class Magistrate's Court-II, Thiruvananthapuram. The second respondent has entered appearance through her counsel. The learned counsel for the second respondent also endorses the fact that the affidavit has been sworn in by the second respondent.

5. Considering the fact that the parties have resolved all the disputes between them, I am of the view that this is a fit case wherein Annexure-A final report in Crime No.398/2013 and all further proceedings in C.C.No.1018/2014 of the Judicial First Class Magistrate's Court-II, Thiruvananthapuram, can be quashed under Section 482 of Code of Criminal Procedure.

In the result, this Crl.M.C. is allowed and Annexure-A final report in Crime No.398/2013 of Fort police station and all further proceedings in C.C.No.1018/2004 of the Judicial First Class Magistrate's Court-II, Thiruvananthapuram, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

dl