

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

Crl.MC.No. 6842 of 2014

CC 664/2014 of J.M.F.C.,PARAPPANANGADI
CRIME NO. 734/2013 OF TANUR POLICE STATION , MALAPPURAM

PETITIONERS/ACCUSED:

1. MANOJ, S/O.VELAYUDHAN AGED 33 YEARS
AMMA NIVAS, UPPUMTHARA HOUSE, THRIKKULAM
PANTHARANGADI MALAPPURAM DISTRICT.
2. NALINI, W/O.VELAYUDHAN AGED 51 YEARS
AMMA NIVAS, UPPUMTHARA HOUSE, THRIKKULAM
PANTHARANGADI MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS/STATE & COMPLAINANT:

1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING SUB INSPECTOR OF POLICE TANUR POLICE STATION
MALAPPURAM DISTRICT PIN-676302.
2. SREEJA, D/O.KORU, AGED 26 YEARS
CHOLAKKAL HOUSE, HAJIPADI, OZHUR
MALAPPURAM DISTRICT PIN.676307

R2 BY ADV. SRI.ARUN MATHEW VADAKKAN
R BY PUBLIC PROSECUTOR, SHRI.JIBU P THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
20-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 6842 of 2014 ()

APPENDIX

PETITIONERS' EXHIBITS

ANNX.A1 - TRUE COPY OF FIRST INFORMATION REPORT DATED 17-08-2013
IN CRIME NO.734/2013 OF TANUR POLICE STATION.

ANNX.A2 - TRUE COPY OF FINAL REPORT DATED 30-08-2013 IN
CRIME NO.734/2013 OF TANUR POLICE STATION.

ANNX.A3 - AFFIDAVIT DATED 29-11-2014 OF THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS : NIL

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// TRUE COPY //

PA to Judge

B.KEMAL PASHA, J.

Crl.M.C.No.6842 of 2014 F

Dated this the 20th day of February, 2015

ORDER

This is a petition filed under Section 482 of the Code of Criminal Procedure seeking to quash the proceedings in C.C. No.664/2014 of Judicial First Class Magistrate's Court-1, Parappangadi, arising from Crime No.734/2013 of Tanur Police Station as against the petitioners. Alleging cruelty within the meaning of Section 498A read with Section 34 of the Indian Penal Code on the wife of the first petitioner, a crime was registered as Crime No.734/2013 for the offence under Section 498A read with Section 34 of the Indian Penal Code. The final report was filed in the matter and presently, the same is pending before the Judicial First Class Magistrate's Court-1, Parappanangadi as C.C. No.664/2014.

2. Proceedings were also initiated before the Family Court, Tirur, where by order dated 24.9.2014 the marriage between the first petitioner and the de-facto complainant/2nd respondent herein was dissolved.

3. During the pendency of the cases, all the disputes between the parties have been amicably settled. Annexure-A3 affidavit has also been produced to show that the de-facto complainant has presently no complaints, as against the petitioners.

3. The de-facto complainant/2nd respondent has also entered appearance. The learned counsel for the 2nd respondent also submits that the matter has been amicably settled. Considering the settlement arrived at and the fact that they have resolved all the disputes between them, I am of the view that this is a fit case wherein Annexure-A1 final report in Crime No.734/2013 of Tanur Police station and all further proceedings in C.C. No.664/2014 of the Judicial First Class Magistrate's Court-1,

Parappanangadi, can be quashed under Section 482 of Code of Criminal Procedure.

In the result, this Crl.M.C. is allowed and Annexure-AI final report in Crime No.734/2013 of Tanur Police station and all further proceedings in C.C. No.664/2014 of the Judicial First Class Magistrate's Court-1, Parappanangadi, are quashed.

Sd/-
B.KEMAL PASHA,
JUDGE

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// TRUE COPY //

PA to Judge