

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

Crl.MC.No. 6979 of 2014

**CC 1281/2012 OF JUDICIAL FIRST CLASS MAGISTRATE, CHAVAKKAD.
CRIME NO. 726/2012 OF PAVARATTY POLICE STATION, THRISSUR.**
.....

PETITIONERS/ACCUSES NOS. 1 TO 3:

- 1. YORIN.C.L., AGED 29 YEARS,
S/O LOUIS, CHIRIYAMKANDATHIL HOUSE,
PAVARATTY P.O., THRISSUR DISTRICT-680507.**
- 2. KOCHU MARY, AGED 60 YEARS,
W/O LOUIS, CHIRIYAMKANDATHIL HOUSE,
PAVARATTY P.O., THRISSUR DISTRICT-680507.**

**BY ADVS.SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

RESPONDENTS/DEFACTO COMPLAINANT AND STATE:

- 1. JIYA.C.J., AGED 23 YEARS
D/O JAMES, CHIRAYATH HOUSE, PAVARATTY P.O.,
PAVARATTY VILLAGE, CHAVAKKAD TALUK,
THRISSUR DISTRICT-680507.**
- 2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-682031.**

**R1 BY ADV. SRI.M.REVIKRISHNAN
R2 BY PUBLIC PROSECUTOR SRI.JIBU P THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

Crl.MC.No. 6979 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES:

- ANNEXURE A:** COPY OF FINAL REPORT IN CRIME 762/12 OF PAVARATTY
POLICE STATION.
- ANNEXURE B:** A SWORN AFFIDAVIT FILED BY THE 2ND RESPONDENT.
- ANNEXURE C:** TRUE COPY OF THE AGREEMENT EXECUTED BETWEEN THE
PETITIONERS 1 AND 2 AND THE 2ND RESPONDENT.

RESPONDENT(S)' ANNEXURES: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
Crl.M.C. No.6979 of 2014
.....

Dated this the 22nd day of January, 2015

ORDER

~~~~~

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

2. Petitioners are accused Nos.1 and 3 in Crime No.726/2012 of Pavaratty 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-A final report in Crime No.726/2012 of Pavaratty Police Station as against the petitioners and all further proceedings based on it in C.C.1281/2012 pending before the Judicial First Class Magistrate's Court, Chavakkad, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who

is 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.

5. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 1<sup>st</sup> respondent herein, and learned Public Prosecutor.

6. 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.

7. The defacto complainant, who is the 1<sup>st</sup> 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, therefore, 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.

8. 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-A final report in Crime No.726/2012 of Pavaratty Police Station as against the petitioners and all further proceedings based on it in C.C.1281/2012 pending before the Judicial First Class Magistrate's Court, Chavakkad are hereby quashed.

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

aks/22/01

*// True Copy //*

*PA to Judge*