

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Crl.MC.No. 6983 of 2014 ()

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CRIME NO. 171/2012 OF MANKADA POLICE STATION, MALAPPURAM DISTRICT.

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PETITIONER/ACCUSED:

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RIYAS, S/O MUHAMMEDALI,  
AGED 31 YEARS, PALLAT HOUSE,  
KOOTIL (P.O) PERINTHALMANNA TALUK,  
MALAPPURAM DISTRICT.

BY ADVS.SRI.K.V.RAJENDRAN (WANDOOR),  
SRI.K.ANAND.

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

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1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. SAHEEDA, D/O MUHAMMED,  
AGED 26 YEARS, MARATHODI (H),  
VELLILA (P.O.), MANKADA AMSOM VELLILA DESOM,  
PERINTHALMANATALUK, MALAPPURAM DISTRICT-679 324.

R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.  
R2 BY ADV. SRI.PRAVEEN KUMAR. T.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 16-02-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

rs.

**APPENDIX**

**PETITIONER'S ANNEXURES:-**

**ANNEXURE A: TRUE COPY OF THE F.I.R IN CRIME NO.171/2012 OF  
MANKADA POLICE STATION.**

**ANNEXURE B: A TRUE COPY OF THE FINAL REPORT IN CRIME NO.171/2012  
OF MANKADA POLICE STATION.**

**ANNEXURE C: AFFIDAVIT FILED BY THE 2ND RESPONDENT.**

**RESPONDENT'S ANNEXURES:- NIL.**

**//TRUE COPY//**

**P.S. TO JUDGE**

**rs.**

**B.KEMAL PASHA, J.**

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CRL. M.C. No.6983 of 2014  
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Dated this the 16<sup>th</sup> day of February, 2015

**ORDER**

Petitioner is first accused in Crime No.171/2012 of the Mankada Police Station, Malappuram registered for the offences punishable under Sections 498A, 406 and 506(ii) read with Section 34 of the Indian Penal Code.

2. Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A First Information Report in Crime No.171/2012 of the Mankada Police Station and Annexure-B Final Report, and all further proceedings based on it, quashed.

3. The allegation against the petitioner is that he along with the other accused, have tortured and harassed the defacto complainant, who is his wife, and treated her

with cruelty within the meaning of Section 498A IPC, by demanding more dowry, after misappropriating her entire gold ornaments and money.

4. Heard learned counsel for the petitioner, the learned counsel for the defacto complainant, who is the 2<sup>nd</sup> respondent herein, and the learned Public Prosecutor.

5. According to the petitioner, all the matters in dispute between the petitioner and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioner and, therefore, the proceedings against the petitioner may be quashed.

6. The defacto complainant, who is the 2<sup>nd</sup> respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner, 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.

7. Through a settlement the petitioner and the 2<sup>nd</sup> respondent are living together as husband and wife and are leading a peaceful married life. Therefore, 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 First Information Report in Crime No.171/2012 of the Mankada Police Station and Annexure-B Final Report, and all further proceedings based on it, are hereby quashed.

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

ul/-

[True copy]

P.S. to Judge