

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

CrI.MC.No. 7001 of 2014 ()

**CC 875/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, PAYYANNUR
CRIME NO. 41/2013 OF PARIYARAM POLICE STATION, KANNUR**

PETITIONERS/ACCUSED :

- 1. DEEPAK.P.K., AGED 33 YEARS,
S/O K.P.DAMODARAN, PARIYARAM, KULAPPURAM,
CHERUTHAZHAM AMSOM DESOM, P.O.VILAYANGODE, KANNUR.**
- 2. K.P.DAMODARAN, AGED 59 YEARS,
S/O RAMAN, PARIYARAM, KULAPPURAM,
CHERUTHAZHAM AMSOM DESOM, P.O.VILAYANGODE, KANNUR.**
- 3. P.K.KARTHYAYANI, AGED 52 YEARS,
W/O K.P.DAMODARAN, PARIYARAM, KULAPPURAM,
CHERUTHAZHAM AMSOM DESOM, P.O.VILAYANGODE, KANNUR.**
- 4. P.K.DEEPA, AGED 28 YEARS,
W/O SURESH, PARIYARAM, KULAPPURAM,
CHERUTHAZHAM AMSOM DESOM, P.O.VILAYANGODE, KANNUR.**
- 5. M.V.SURESH, AGED 38 YEARS,
S/O K.C.DAMODARAYN, MUNDAYATTU HOUSE,
VELLORA AMSOM, KOYIPRA, KANNUR.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/DEFACTO COMPLAINANT/STATE:

- 1. SOORYA.M.C, AGED 31 YEARS,
D/O RADHAKRISHNAN, UPASANA HOUSE, KOKKANISSERY
PAYYANNUR AMSOM, KANNUR DISTRICT-670001.**
- 2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

**R1 BY ADV. SRI.S.R.SREEJITH
R2 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- ANNEXURE AI:** A TRUE COPY OF THE F.I.R. IN CRIME NO.41 OF 2013 OF
PARIYARAM MEDICAL COLLEGE POLICE STATION, KANNUR
DISTRICT.
- ANNEXURE AII:** A TRUE COPY OF THE COMPLAINT DATED 11.1.2013.
- ANNEXURE AIII:** A TRUE COPY OF THE FINAL REPORT IN CRIME NO.41 OF 2013
DATED 17.1.2013.
- ANNEXURE AIV:** A TRUE COPY OF THE AFFIDAVIT DATED 27.11.2014 OF THE IST
RESPONDENT ENDORSING THE FACTUM OF COMPOUNDING
OF THE OFFENCES AND THE SETTLEMENT OF THE DISPUTES.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

B.KEMAL PASHA, J.

.....
CRL. M.C. No.7001 of 2014
.....

Dated this the 18th day of March, 2015

ORDER

Petitioners are A1 to A5 in Crime No.41/13 of the Pariyaram Medical College Police Station, Kannur registered for the offence punishable under Section 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this CrI.M.C. under Section 482 Cr.P.C. for getting Annexure AIII Final Report in Crime No.41.2013 of the Pariyaram Medical College Police Station, Kannur, and all further proceedings against the petitioners pursuant to the same in C.C.No.875/13 of the Judicial First Class Magistrate's Court, Payyannur, quashed.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is

the wife of the 1st accused, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 1st respondent herein, and the learned Public Prosecutor.

5. 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.

6. The defacto complainant, who is the 1st 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, 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. 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 All Final Report in Crime No.41.2013 of the Pariyaram Medical College Police Station, Kannur and all further proceedings against the petitioners pursuant to the same in C.C.No.875/13 of the Judicial First Class Magistrate's Court, Payyannur, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

CRL.M.C.No.7001 of 2014

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[True copy]

P.S. to Judge