

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Crl.MC.No. 7005 of 2014 ()

CRIME NO. 80/2014 OF TOWN SOUTH POLICE STATION, PALAKKAD

PETITIONERS/ACCUSED :

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1. GIREESH,
S/O.SIVARAMAN, AGED 35 YEARS
'MOOCHIKKAN HOUSE', KUNJANMEDU
KADAMKODE, PALAKKAD-678551.
 2. PARVATHI,
W/O.SHIVARAMAN, AGED 60 YEARS
'MOOCHIKKAN HOUSE', KUNJANMEDU
KADAMKODE, PALAKKAD-678551.

BY ADVS.SRI.LIJU M.P.
SRI.VINOD KUMAR C.

RESPONDENT/COMPLAINANT :

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1. STATE OF KERALA
REPRESENTED BY SI OF POLICE
TOWN SOUTH POLICE STATION, PALAKKAD
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA-682031.
 2. SAJITHA,
W/O.GIREESH, AGED 24 YEARS
'MOOCHIKKAN HOUSE', KUNJANMEDU
KADAMKODE, PALAKKAD-678551.

R1 BY PUBLIC PROSECUTOR SRI. M.A. ABDUL SHUKOOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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...2/-

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE 1 : COPY OF FINAL REPORT IN CC 93/2014 DATED 30.4.2012.

ANNEXURE 2 AFFIDAVIT OF 2ND RESPONDENT DT. 30-11-2014.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

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B. KEMAL PASHA, J.

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Crl.M.C. No.7005 of 2014
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Dated this the 30th day of January, 2015

O R D E R

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

2. Petitioners are the accused in Crime No.80/2014 of Town South Police Station, Palakkad, registered for the offence punishable under Section 498A of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-1 final report in Crime No.80/2014 of Town South Police Station, Palakkad, as against the petitioners and all further proceedings based on it in C.C.93/2014 pending before the Chief Judicial Magistrate's Court,

Palakkad, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who is the wife of the 1st 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 2nd 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 2nd 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. Through a settlement, the 1st petitioner and the 2nd respondent are living together as husband and wife and are leading a peaceful married life. 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 CrI.M.C. is allowed and Annexure-1 final report in Crime No.80/2014 of Town South Police

Station, Palakkad, as against the petitioners and all further proceedings based on it in C.C.93/2014 pending before the Chief Judicial Magistrate's Court, Palakkad, are hereby quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/30/01

// True Copy //

PA to Judge