

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

Crl.MC.No. 7064 of 2014 ()

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CC.NO. 408/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, PATTAMBI
CRIME NO. 508/2013 OF PATTAMBI POLICE STATION, PALAKKAD
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PETITIONERS/ACCUSED :

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- 1. RAJEEV C., 28 YEARS
S/O. SIVARAMAN NAIR, AZHAKATH HOUSE, CHOORAKODE
VALLAPUZHA POST.**
 - 2. DEVAYANI, 63 YEARS
W/O.SIVARAMAN NAIR, AZHAKATH HOUSE, CHOORAKODE
VALLAPUZHA POST.**

BY ADV. SRI.R.SREEHARI

RESPONDENTS/COMPLAINANT AND STATE :

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- 1. SRUTHI, 23 YEARS
D/O.RAMADAS C.P., CHITTUVAZHIPUTHAN VEEDU
EZHUVANTHALA, NELLAYA POST, PALAKKAD DISTRICT
PIN - 679 335.**
 - 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM
THROUGH THE SUB INSPECTOR OF POLICE
PATTAMBI POLICE STATION, PATTAMBI - 679 303.**

**R1 BY ADV. SRI.K.RAJESH SUKUMARAN
R2 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 05-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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Crl.MC.No. 7064 of 2014 ()

APPENDIX

PETITIONERS' ANNEXURES :

- ANNEXURE A1. CERTIFIED COPY OF COMPLAINT CMP NO.2110/2013 FILED
BEFORE JFCM COURT, PATTAMBI.**
- ANNEXURE A2. CERTIFIED COPY OF FIR IN CRIME NO.508/2013 OF PATTAMBI
POLICE STATION.**
- ANNEXURE A3. CERTIFIED COPY OF FINAL REPORT IN CRIME NO.508/2013 OF
PATTAMBI POLICE STATION FILED BEFORE JFCM COURT,
PATTAMBI.**
- ANNEXURE A4. CERTIFIED COPY OF JUDGMENT IN OP NO.217/2014 OF FAMILY
COURT, OTTAPALAM DATED 15.10.2014.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B. KEMAL PASHA, J.

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Crl.M.C. No.7064 of 2014
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Dated this the 5th day of January, 2015

ORDER

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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.508/2013 of Pattambi Police Station registered for the offences punishable under Sections 498A and 406 read with Section 34 of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-A3 final report in Crime No.508/2013 of Pattambi Police Station as against the petitioners and all further proceedings based on it in C.C.408/2014 pending before the Judicial First Class Magistrate's Court, Pattambi, 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 after misappropriating her entire gold ornaments and money.

5. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 1st 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 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, 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 CrI.M.C. is allowed and Annexure-A3 final report in Crime No.508/2013 of Pattambi Police Station as against the petitioners and all further proceedings based on it in C.C.408/2014 pending before the Judicial First Class Magistrate's Court, Pattambi are hereby quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/05/01