

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

Crl.MC.No. 7078 of 2014 ()

CC.NO.588/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I, CHERTHALA
CRIME NO. 82/2013 OF PATTANAKKAD POLICE STATION, ALAPPUZHA DISTRICT

PETITIONER/ACCUSED:

AJIMON, AGED 36 YEARS,
S/O. DIVAKARA PANICKER, PADICKAPPARAMBIL VEETIL,
CHERTHALA P.O., CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.B.PRAMOD

RESPONDENT(S):

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- 1. STATE OF KERALA,**
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
 - 2. PONNAPPAN,S/O. NARAYANAN,**
MANNEL VEETIL, PATTANAKKAD P.O.,
CHERTHALA.
 - 3. LALITHA,W/O. PONNAPPAN,**
MANNEL VEETIL, PATTANAKKAD P.O.,
CHERTHALA.

R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
R2 & R3 BY ADV. SRI.P.SHANES METHAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Crl.MC.No. 7078 of 2014 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX A1 - CERTIFIED COPY OF THE CHARGE SHEET IN CRIME NO. 82/2013 OF
PATTANAKKAD POLICE STATION, ALAPPUZHA DISTRICT.**

ANNEX A2 - TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT.

ANNEX A3 - TRUE COPY OF THE AFFIDAVIT OF THE 3RD RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

B.KEMAL PASHA, J.

.....
CRL.M.C. No.7078 of 2014
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Dated this the 6th day of January, 2015

ORDER

Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-I Final Report and all further proceedings based on it in C.C.588/2013 pending before the Judicial First Class Magistrate's Court, Cherthala, quashed.

2. The allegation against the petitioner is that he has 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.

3. Heard learned counsel for the petitioner, learned counsel for respondents 2 and 3 and the learned Public Prosecutor.

4. During the pendency of the case, the defacto complainant died. Respondents 2 and 3 are her parents. According to the petitioner, all the matters in dispute have been amicably settled between the petitioner and respondents 2 and 3, and presently respondents 2 and 3 have no complaints against the petitioner and, therefore, the proceedings against the petitioner may be quashed.

5. Respondents 2 and 3, have filed an affidavit affirming that all the matters in dispute between them and the petitioner have been amicably settled and, therefore, they have no complaints against the petitioner, and, hence, all further proceedings in the matter referred to above can be quashed. They have entered appearance through their counsel. The learned counsel for respondents 2 and 3 also endorses the fact that the affidavit has been sworn in by respondents 2 and 3 on their own volition.

6. When all the disputes have been settled between the parties, and as respondents 2 and 3 have no complaints

against the petitioner, 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-I Final Report and all further proceedings based on it in C.C.588/2013 pending before the Judicial First Class Magistrate's Court, Cherthala, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge