

**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. 7079 of 2014 ()**  
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**CRIME NO. 2285/2014 OF ADOOR POLICE STATION, PATHANAMTHITTA DISTRICT**  
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**PETITIONERS/ACCUSED NUMBERS 1 AND 2 :**  
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1. RAJEESH K.,  
S/O. KOCHU RAMAN, AGED 28, EATTIVILAYIL, POOTHANKARA  
ENADIMANGALAM GRAMA PANCHAYAT, PIN - 691 524  
ENADIMANGALAM VILLAGE, ADOOR TALUK  
PATHANAMTHITTA DISTRICT.
2. SANTHAMMA  
W/O. KOCHU RAMAN, AGED 58, EATTIVILAYIL, POOTHANKARA  
ENADIMANGALAM GRAMA PANCHAYAT, PIN - 691 524  
ENADIMANGALAM VILLAGE, ADOOR TALUK  
PATHANAMTHITTA DISTRICT.

**BY ADV. SRI.SAKIR K.H.**

**RESPONDENTS/COMPLAINANT AND STATE :**  
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1. SUNANDA,  
D/O. CHELLAPPAN AND W/O. RAJEESH, AGED 26,  
VATTAKKALAYIL VEEDU, THEKKETHERI P.O., PIN - 691 522  
PATTAZHI, PATTAZHI PANCHAYAT, KOLLAM DISTRICT.
2. STATE OF KERALA  
THROUGH THE S.I OF POLICE, ADOOR POLICE STATION  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.

**R1 BY ADV. SRI.P.Y.AHAMMED PHYSI**  
**R2 BY PUBLIC PROSECUTOR SRI. SREEJITJ V.S.**

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

**Mn**

**...2/-**

**Crl.MC.No. 7079 of 2014 ()**  
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**APPENDIX**

**PETITIONERS' ANNEXURES :**  
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- ANNEXURE A1 - CERTIFIED COPY OF THE FIR IN CRIME NO. 2285/2014 OF  
ADOOR POLICE STATION.**
- ANNEXURE A2 - TRUE COPY OF ELECTION IDENTITY CARD ISSUED TO THE 1ST  
PETITIONER.**
- ANNEXURE A3 - TRUE COPY OF MARRIAGE CERTIFICATE DT. 24.8.14 ISSUED  
BY THE THIRUVITHAMKUR DEVASAM BOARD.**
- ANNEXURE A4 - AFFIDAVIT DT. 08.12.14 SWORN TO BY THE 1ST RESPONDENT,  
ATTESTED BY THE NOTARY PUBLIC.**

**RESPONDENT(S)' EXHIBITS : NIL**  
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**//TRUE COPY//**

**P.S. TO JUDGE**

**Mn**

**B.KEMAL PASHA, J.**

.....  
CRL. M.C. No.7079 of 2014  
.....

Dated this the 6<sup>th</sup> day of January, 2015

**ORDER**

Petitioners are A1 and A2 in Crime No.2285/2014 of the Adoor Police Station, 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-I F.I.R. in Crime No. 2285/2014 of the Adoor Police Station and all further proceedings based on it, quashed.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is the wife of the 1<sup>st</sup> petitioner, 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 1<sup>st</sup> 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 1<sup>st</sup> 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. Through a settlement, the 1<sup>st</sup> petitioner and the 1<sup>st</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-I F.I.R. in Crime No. 2285/2014 of the Adoor Police Station and all further proceedings based on it, are hereby quashed.

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

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[True copy]

P.S. to Judge