

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Crl.MC.No. 7087 of 2014 ()

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CC.NO. 279/2013 OF CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR
CRIME NO. 1118/2013 OF TRICHUR EAST POLICE STATION, THIRICHUR
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PETITIONER/ACCUSED :

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MANORANJITH
AGED 43 YEARS
S/O. KESAVAN NAIR, PARVATI NILAYAM
NEAR KACHILATT SCHOOL, NELLIKKODE,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN**

RESPONDENTS/DEFACTO COMPLAINANT & STATE :

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1. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM-682031.
(CRIME NO. 1118/2013 OF THRISSUR EAST POLICE STATION
THRISSUR DISTRICT.)**

**2. SUNITHA, AGED 34 YEARS
D/O.MUKUNDAN MENON, SUMITH, KUNNATH LANE
THIRUVAMBADI P.O., THRISSUR DISTRICT.**

**R1 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS
R2 BY ADVS. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 12-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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Crl.MC.No. 7087 of 2014 ()

APPENDIX

PETITIONERS' ANNEXURES :

- ANNEXURE I. CERTIFIED COPY OF THE FIRST INFORMATION REPORT IN
CRIME NO. 1118/2013 OF THRISSUR EAST POLICE STATION.**
- ANNEXURE II. CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 1118/13
OF THRISSUR EAST POLICE STATION.**
- ANNEXURE III. AFFIDAVIT DATED 13-10-2014 SWORN BY THE SECOND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 7087 of 2014

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Dated this the 12th day of February, 2015

ORDER

Petitioner is the accused in Crime No.1118 of 2013 of the Thrissur East Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

2. Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A1 FIR and Annexure-A2 Final Report in Crime No.1118 of 2013 of the Thrissur East Police Station and all further proceedings based on it in C.C.No.279 of 2013 pending before the Chief Judicial Magistrate's Court, Thrissur, quashed.

3. 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.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 2nd respondent

herein, and the learned Public Prosecutor.

5. According to the petitioner, all the matters in dispute between the petitioner and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioner and, therefore, the proceedings against the petitioner may be quashed.

6. The defacto complainant, who is the 2nd respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner, 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 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-A1 FIR and Annexure-A2 Final Report in Crime No.1118 of 2013 of the Thrissur East Police Station and all further proceedings based on it in C.C.No.279 of 2013 pending before the Chief Judicial Magistrate's Court, Thrissur, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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