2024:KER:59100

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 5TH DAY OF AUGUST 2024 / 14TH SRAVANA, 1946

CRL.MC NO. 7055 OF 2023

CRIME NO.0690/2023 OF VALIYAMALA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

ANEESH,
AGED 38 YEARS, S/O THANKAPPAN ASARI,
PULLUVILAKATHU VEEDU, KARIPOOR VILLAGE,
KARIPOOR P.O., NEDUMANGAD TALUK,
THIRUVANANTHAPURAM DISTRICT, PIN-695541.

BY ADVS.
P.BAJI RAVEENDRAN
NIJA S.L.
RESHMA T.R.
GOVIND N.S.
LEKSHMI MOHAN

RESPONDENTS/STATE & DEFACTO COMPLAINANT:

1 **STATE OF KERALA**
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM, PIN-682031.

2 **DIVYA,**
AGED 31 YEARS, D/O. PUSHPA,
DIVYA BHAVAN, KARANTHALA, KARIPPOOR VILLAGE,
KARIPPOOR.P.O., NEDUMANGAD TALUK,
THIRUVANANTHAPURAM DISTRICT, PIN-695541.

R1 **SRI.M.P.PRASANTH, PUBLIC PROSECUTOR**

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05.08.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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ORDER

Dated this the 5th day of August, 2024

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings pursuant to Annexure A1 FIR in Crime No.690/2023 of Valiyamala Police Station, Thiruvananthapuram lodged before the Judicial First Class Magistrate Court-I, Nedumangad. Petitioner herein is the accused in the above case.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the defacto complainant and the learned Public Prosecutor.

3. In this matter, offence punishable under Section 498A of the Indian Penal Code is alleged to have been committed by the accused and the defacto complainant is none other than the wife of the accused.

4. An affidavit sworn by the defacto complainant has been placed stating that the matter has been settled in between

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them and she has no grievance in the matter of quashing the proceedings.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the defacto complainant to that effect has been recorded.

6. Since the matter has been settled, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living of the married couple. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. Annexure A1 FIR in Crime No.690/2023 of Valiyamala Police Station, lodged before the Judicial First Class Magistrate Court-I, Nedumangad and the proceedings thereof stand quashed.

Sd/-
A. BADHARUDEEN
JUDGE

bpr

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APPENDIX OF CRL.MC 7055/2023

PETITIONER'S ANNEXURES

Annexure A1	**THE CERTIFIED COPY OF THE FIR CRIME NO. 690/2023 OF VALIYAMALA POLICE STATION THIRUVANANTHAPURAM DISTRICT DATED 07.07.2023**
Annexure A2	**THE TRUE COPY OF SWORN AN AFFIDAVIT 2ND RESPONDENT HAS BEFORE THIS HON'BLE COURT IN THIS CRL.M.C DATED 19TH AUGUST 2023**