

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Cr1.MC.No. 7424 of 2014 ()

CC 1536/2013 of J.M.F.C.-I, KOZHIKODE
CRIME NO. 496/2013 OF CHEVAYUR POLICE STATION, KOZHIKODE

PETITIONER(S)/ACCUSED No.1, 2 & 3 :-

1. DHINEESH.P., AGED 28 YEARS, S/O.MADHAVAN NAIR,
DHANYA HOUSE, KAKKODI, KIZHAKKUMURI.P.O.,
KOZHIKODE.
2. MADHAVAN NAIR, AGED 66 YEARS,
S/O.GOVINDAN NAIR, DHANYA HOUSE,
KAKKODI, KIZHAKKUMURI.P.O., KOZHIKODE.
3. VASANTHA, AGED 55 YEARS, W/O.MADHAVAN NAIR,
DHANYA HOUSE, KAKKODI, KIZHAKKUMURI.P.O.,
KOZHIKODE.

BY ADV. SRI.K.SANEESH KUMAR
SMT.V.B.SANTHINI

RESPONDENT(S)/STATE & DEFACTO COMPLAINANT :-

1. STATE OF KERALA REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN - 31.
2. AISWARYA P.R., AGED 24 YEARS,
D/O.RAJAGOPALAN, AISWARYALAYAM,
THUVVAKKODE P.O., KOZHIKODE, PIN - 673 304.

R2 BY ADV. SRI.K.SUNILKUMAR
R1 BY PUBLIC PROSECUTOR SRI.C.K.JAYAKUMAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

jvt

Cr1.MC.No. 7424 of 2014 ()

APPENDIX

PETITIONER(S)' EXHIBITS :-

ANNEXURE A1 :- TRUE COPY OF THE FINAL REPORT SUBMITTED BY THE
S.I. OF POLICE, CHEVAYOOR POLICE STATION IN CRIME No.496/2013
BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOZHIKODE IN
C.C.No.1536/2013.

ANNEXURE A2 :- TRUE COPY OF THE AFFIDAVIT SIGNED BY THE 2ND
RESPONDENT/DEFACTO COMPLAINANT DATED 3.12.2014.

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

P.BHAVADASAN, J.

Crl.M.C. No.7424 of 2014

Dated this the 30th day of December 2014

O R D E R

The petitioners stand accused of having committed offences punishable under Secs.498A and 406 r/w Sec.34 of IPC in Crime No.496 of 2013 of Chevayoor Police Station, which on filing of final report was taken cognizance of as C.C.No.1536 of 2013 by JFCM Court-I, Kozhikode.

2. It is unnecessary to refer the facts of the case for the simple reason that the de facto complainant and the petitioners have settled the dispute between them and the de- facto complainant has no further grievance in the matter. The petitioners have produced Annexure-A2 affidavit sworn to by the de facto complainant pointing out that she has no further grievance in the matter and she does not intend to proceed further with the proceedings.

3. The de facto complainant who is arrayed as the 2nd respondent in this petition is represented by her counsel, who accepts that an affidavit has been sworn to by the 2nd respondent and she stands by the statements contained therein. In the light

of the fact that the de facto complainant has no further grievance in the matter, the continuance of the proceedings would only be a sheer waste of time and no useful purpose will be served.

In the result, this petition is allowed. All further proceedings against these petitioners in C.C.No.1536 of 2013 of JFCM Court-I, Kozhikode and final report of the crime based on which cognizance was taken shall stand quashed.

**Sd/-
P.BHAVADASAN, JUDGE.**