

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE SUNIL THOMAS**

**WEDNESDAY, THE 31ST DAY OF AUGUST 2016/9TH BHADRA, 1938**

**CrI.MC.No. 5136 of 2016 ()**  
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**LP.NO. 19/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, HARIPAD  
CRIME NO. 560/2012 OF KAREELAKULANGARA POLICE STATION , ALAPPUZHA**  
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**PETITIONER/ACCUSED :**  
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**ARUN,  
AGED 30 YEARS, S/O. ANIRUDHAN, DEVI BHAVANAM,  
KANDALLOOR, KAYAMKULAM.**

**BY ADVS.SRI.R.SUNIL KUMAR  
SMT.A.SALINI LAL**

**RESPONDENT(S)/COMPLAINANT/CW-1:**  
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- 1. STATE OF KERALA,  
REP. BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. AMBILI, AGED 31 YEARS, D/O. LEELA,  
KUTTIKADUVADAKKATHIL VEETIL,  
MALAMEL BHAGOM, KEERIKKADU, ALAPPUZHA.**

**R1 BY PUBLIC PROSECUTOR SRI.C.K.SURESH  
R2 BY ADV. SRI.BINNY.A.THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 31-08-2016, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**sts**

Crl.MC.No. 5136 of 2016 ()  
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**APPENDIX**

**PETITIONER(S)' ANNEXURES:**  
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**ANNEXURE 1    COPY OF THE FINAL REPORT.**

**ANNEXURE 2    COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT.**

**RESPONDENT(S)' ANNEXURES:**  
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**NIL**

**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

**SUNIL THOMAS, J.**

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**Crl. M. C. No. 5136 of 2016**  
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**Dated this the 31<sup>st</sup> day of August, 2016**

**ORDER**

The petitioner is the accused in Crime No. 560/2012 of the Kareelakulangara Police Station for offences punishable under Sections 498(A), 406 of IPC.

2. The allegation of the defacto complainant is that, the petitioner herein had married the defacto complainant on 13.07.2008, but later she was subjected to matrimonial cruelty. Alleging commission of offences complaint was laid and crime was registered. After investigation, Annexure 1 final report was laid. The matter is now pending as L.P. No.19/2014 of Judicial First Class Magistrate Court-1, Harippad.

3. Now the petitioner has approached this Court stating that the entire disputes between the parties have been resolved out of court with the intervention of the mediators and a divorce was granted to the parties. According to the petitioner, all the monetary transactions have also been settled. Reiterating the above, the 2<sup>nd</sup> respondent has filed an affidavit as Annexure 2. There is nothing on record to show that the petitioner is involved in any other case. Learned counsel for the 2<sup>nd</sup> respondent

submitted that he has been instructed to submit that the parties have resolved their disputes and the 2<sup>nd</sup> respondent has no objection in quashing the proceedings.

4. Learned Public Prosecutor submitted that the petitioner is not involved in any other crime.

5. Having regard to the entire facts, I am satisfied that, essentially the dispute arises from matrimonial discord and is of personal nature and no larger public interest is involved. Hence, I am inclined to allow the Crl.M.C.

In the result, Crl.M.C. is allowed. All further proceedings in L.P. No.19/2014 of Judicial First Class Magistrate Court-1, Harippad stand quashed.

**Sd/-**

**SUNIL THOMAS, JUDGE.**