

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

FRIDAY, THE 5<sup>TH</sup> DAY OF APRIL 2024 / 16TH CHAITHRA, 1946

CRL.MC NO. 2836 OF 2024

CRIME NO.252/2022 OF VALAPPATANAM POLICE STATION, KANNUR

CC NO.614 OF 2022 OF JUDICIAL MAGISTRATE OF FIRST CLASS-II, KANNUR

PETITIONER/ACCUSED NOS.1 AND 2:

- 1       SAJIN P.C  
          AGED 40 YEARS  
          S/O. BALAKRISHNAN, CHALIL HOUSE,  
          P.O. AZHIKKODE, ARAMKOTTAM,  
          BALIAPATTAM, KANNUR CITY, PIN - 670010
- 2       T.K. SHYLAJA  
          AGED 68 YEARS  
          CHALIL HOUSE, P.O. AZHIKKODE,  
          ARAMKOTTAM, BALIAPATTAM,  
          KANNUR CITY, PIN - 670010

BY ADV M.A.JINSA MOL

RESPONDENTS/DE FACTO COMPLAINANT & STATE:

- 1       SONA SAJIN  
          AGED 35 YEARS  
          W/O. SAJIN P.C.,  
          RESIDING AT PALATH HOUSE,  
          P.O. AZHIKKODE SOUTH,  
          KANNUR DISTRICT-670009  
          NOW RESIDING AT ABU SHAGARAHSHARJA FLAT NO. 803  
          MAYSALOON BUILDING,  
          EMAIL: SONAPC87@GMAIL.COM  
          PHONE NO: 00971 558494416, PIN - 307501
- 2       STATION HOUSE OFFICER  
          BALIAPATTAM POLICE STATION,  
          KANNUR DIST.  
          REPRESENTED BY PUBLIC PROSECUTOR,  
          HIGH COURT OF KERALA,  
          ERNAKULAM, PIN - 682031
- 3       STATE OF KERALA  
          REPRESENTED BY PUBLIC PROSECUTOR,  
          HIGH COURT OF KERALA, PIN - 682031

CRL.MC NO. 2836 OF 2024

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SRI.RENJITH GEORGE, SR.PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR  
ADMISSION ON 05.04.2024, THE COURT ON THE SAME DAY  
PASSED THE FOLLOWING:

**ORDER**

Dated this the 5<sup>th</sup> day of April, 2024

This criminal miscellaneous case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings against the petitioners in crime No.252/2022 of Baliapattam Police Station, now pending as C.C.No.614/2022 on the files of the Judicial First Class Magistrate Court-II, Kannur. Petitioners herein are accused in the above case.

2. Heard the learned counsel for the petitioners, the learned counsel for the de facto complainant and the learned Public Prosecutor.

3. In this matter, offence punishable under Section 498A of IPC is alleged to have been committed by the accused and complainant is none other than the wife of the 1<sup>st</sup> accused.

4. On a perusal of Annexure A5 affidavit filed by the 1<sup>st</sup> respondent, it is stated that the matrimonial disputes in

between the complainant and the 1<sup>st</sup> accused were settled and they are now living together.

5. 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. All further proceedings against the petitioners in crime No.252/2022 of Baliapattam Police Station, now pending as C.C.No.614/2022 on the files of the Judicial First Class Magistrate Court-II, Kannur, stand quashed.

**Sd/-  
A. BADHARUDEEN  
JUDGE**

nkr

APPENDIX OF CRL.MC 2836/2024

PETITIONER ANNEXURES

ANNEXURE A1            THE CERTIFIED COPY OF THE COMPLAINT  
FILED        BEFORE        THE        INSPECTOR,  
BALIPATTAM        POLICE        STATION        DT.  
20/4/2022

ANNEXURE A2            THE TRUE COPY OF THE FIR IN CRIME NO.  
252/2022        OF        BALIPATTAM        POLICE  
STATION,        KANNUR        DISTRICT        DT.  
20/4/2022

ANNEXURE A3            THE TRUE COPY OF THE FINAL REPORT IN  
CRIME NO. 252/2022 ON THE FILE OF  
BALIAPATTAM        POLICE        STATION,        KANNUR  
DIST

ANNEXURE A4            TRUE COPY OF THE MEMO OF EVIDENCE

ANNEXURE A5            THE        AFFIDAVIT        SWORN        BY        THE  
1STRESPONDENT DT.10/3/2024

RESPONDENT'S ANNEXURES : NIL