

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE G.GIRISH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

CRL.MC NO. 7107 OF 2019

CC NO.1139 OF 2015 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT- III, NORTH PARAVUR

PETITIONER/ACCUSED:

ANEESH

AGED 39 YEARS

S/O. MOITHEEN, MUNDOMCHALIL HOUSE, KARINGAMTHURUTH
KARA, ALANGAD VILLAGE, N. PARAVUR.

BY ADV RAJIV NAMBISAN

RESPONDENTS/COMPLAINANT:

- 1 KERALA STATE
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
- 2 SNEHALATHA
D/O KUTTAPPAN, PUZHUKKUDY HOUSE, NEERICODE KARA,
ALANGAD VILLAGE .

BY ADV PAUL VARGHESE SRAMBICAL

SMT SEETHA S, SR PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
07.04.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



ORDER

The petitioner is the sole accused in CC No.1139/2015 on the files of the Judicial First Class Magistrate Court-III, North Paravur. The allegation against him is that he committed offence under Section 498A IPC. In the present petition, the petitioner seeks to quash the proceedings against him in the said case.

2. The prosecution case is that ever since 13.01.2003, while the de facto complainant had been residing with the petitioner, he had been subjecting her to cruelty demanding dowry.

3. When the matter is taken up for consideration today, the learned counsel for the petitioner submitted that the issue has been amicably settled with the de facto complainant.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State of Kerala.

5. It is seen from the records that the de facto complainant has filed an affidavit dated 04.01.2025, stating that the issue with the petitioner had already been resolved, and that she is not having any subsisting grievance against him. It is further stated in the aforesaid affidavit that the de facto complainant had married another person, and that she has been



living peacefully with him.

6. The learned Public Prosecutor, upon instructions from the Investigating officer, submitted that as per the information gathered by the Investigating Agency also, the matter has been resolved between the parties, and that the de facto complainant is no longer interested in prosecuting this case. A statement given by the de facto complainant to the Investigating Officer in the above regard is placed before me for perusal.

7. Having regard to the above development of the case wherein the issue has been amicably settled between the parties, and the aggrieved person is not at all interested in proceeding with the prosecution, I am of the view that the continuance of the proceedings before the learned Magistrate in CC No.1139/2015 can only be termed as an abuse of process of court. Therefore, the request in this petition to quash the proceedings has to be allowed.

In the result, the petition stands allowed. The proceedings against the petitioner/accused in CC No.1139/2015, on the files of the Judicial First Class Magistrate Court-III, North Paravur, are hereby quashed.

Sd/-

**G.GIRISH
JUDGE**



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2025:KER:29867

APPENDIX OF CRL.MC 7107/2019

PETITIONER'S ANNEXURES:

ANNEXURE A

CERTIFIED COPY OF FINAL REPORT SUBMITTED BY
VARAPUZHA POLICE IN CRIME 615/15 AND THAT
TOOK ON FILE AS C.C.1139/15 BY JFCM
COURT-III, N.PARAVUR.