

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Crl.MC.No. 243 of 2015 ()

**CC.NO. 138/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I,
PATHANAMTHITTA
CRIME NO. 1413/2012 OF ARANMULA POLICE STATION,PATHANAMTHITTA DISTRICT**

PETITIONER/ACCUSED:

**ANNAMMA JOSEPH @ AANI, AGED 55 YEARS,
S/O.JOSEPH, PUTHENPURACKAL HOUSE, KARUNAPURAM,
KARUNAPURAM VILLAGE, UDUMBANCHOLA TALUK,
IDUKKI DISTRICT.**

BY ADV. SRI.K.N.RADHAKRISHNAN(THIRUVALLA)

RESPONDENT(S)/COMPLAINANTS AND STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. VALSAN T KOSHY, AGED 59 YEARS,S/O.KOSHY,
NIMMI VILLA, VETTIPURAM,
PATHANAMTHITTA DISTRICT-689 645.**
- 3. MARIYAMMA MATHEW,W/O.LATE MATHEW,
KIZHAKKETHIL PUTHUPARABIL HOIUSE,
VALIYAKULAM MURI, NARANGANAM,
PATHANAMTHITTA-689 645.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN
R2 & R3 BY ADV. SRI.RAVI KRISHNAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 243 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX-1. CERTIFIED COPY OF CHARGE IN CC 138/2013 OF THE JFCM COURT-I,
PATHANAMTHITTA**

ANNEX-2. AFFIDAVIT OF THE 2ND RESPONDENT

ANNEX-3. AFFIDAVIT OF THE 3RD RESPONDENT

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

/TRUE COPY/

P.A.TO JUDGE

sts

K. ABRAHAM MATHEW, J.

Crl. M.C. No.243 of 2015

Dated this the 21st day of May, 2015

O R D E R

Petitioner is the sole accused in C.C. No.138 of 2013 on the file of Judicial First Class Magistrate Court-I, Pathanamthitta. He is charged with having committed the offences under Secs.381 and 461 of Indian Penal Code. The petitioner was working as a home nurse in the house of the 2nd and 3rd respondents who are son in law and mother-in-law respectively. The petitioner allegedly committed theft of four gold bangles belonging to the 3rd respondent. It is submitted that the matter has been settled between the parties and the proceedings in the criminal case may be quashed.

2. Heard the learned counsel for the petitioner and respondents 2 and 3 and the learned Public Prosecutor.

3. I have perused the affidavits filed by the 2nd and 3rd respondents. The matter has been settled. It is

submitted by the learned counsel for the petitioner that the gold bangles produced in the case may be returned to the 3rd respondent. No public interest is involved in the case. I am satisfied that the allegations in the petition are true. So I am inclined to grant the prayer.

In the result, this Criminal M.C. is allowed. The proceedings in C.C. No.138 of 2013 on the file of the Judicial First Class Magistrate Court-I, Pathanamthitta are quashed. The gold bangles produced in that Court will be returned to the 3rd respondent. If any other material objects have been produced, the learned Magistrate may pass appropriate orders for their disposal.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge