

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. 701 of 2015

CP 85/2014 OF MUNSIF MAGISTRATE COURT, SASTHAMCOTTA

CRIME NO. 337/2013 OF SASTHAMCOTTA POLICE STATION, KOLLAM
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PETITIONER(S)/ACCUSED:

**GEORGEKUTTY, AGED 44 YEARS,
S/O.SIRIL, RESIDING AT ARSHA NIVAS, NELLIKKUNNAM,
VENGA MURI, MAINAGAPALLY VILLAGE, KOLLAM.**

BY ADV. SRI.AJAYA KUMAR G.

RESPONDENT(S)/STATE/DEFACTO COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SMISHA CHRISTY, AGED 34,
W/O.GEORGEKUTTY, RESIDING AT ARSHA NIVAS, NELLIKKUNNAM,
VENGA MURI, MAINAGAPALLY VILLAGE, KOLLAM.**
- 3. M.P.CHRISTAPHER, AGED 61,
S/O.AUGUSTIN, RESIDING AT SMISHA NIVAS, VENG P.O.,
SASTHAMKOTTA, KOLLAM.**

R2 & R3 BY ADV. SRI.M.R.SARIN

R1 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

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

msv/

Crl.MC.No. 701 of 2015

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEUXRE-1: CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.337/2013 OF
SASTHAMKOTTA POLICE STATION, KOLLAM.**

ANNEXURE-2: AFFIDAVIT SWORN BY THE 2ND RESPONDENT.

ANNEXURE-3: AFFIDAVIT SWORN BY THE 3RD RESPONDENT.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. ABRAHAM MATHEW, J.

Crl. M.C. No.701 of 2015

Dated this the 21st day of May, 2015

O R D E R

Petitioner is the sole accused in C.P. No.85 of 2014 of the Judicial First Class Magistrate Court, Sasthamcotta. The allegation is that he has committed the offences under Secs.307, 342, 498A and 506 of Indian Penal Code. The 2nd respondent is his wife and the 3rd respondent father in law. It is submitted that the matter has been settled between the parties and the petitioner and the 2nd respondent are living together along with their children. The prayer is to quash the proceedings in the criminal case.

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

3. Respondents 2 and 3 have filed separate affidavits to the effect that the dispute has been settled and they have no objection to the proceedings in the

criminal case being quashed. The case arose from a family dispute. 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.P. No.85 of 2014 on the file of the Judicial First Class Magistrate Court, Sasthamcotta are quashed. The material objects if any produced before the Court may be disposed of by the learned Magistrate.

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

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P.A. To Judge