

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Crl.MC.No. 1044 of 2015 ()

CRIME NO. 609/2010 OF VATTIYOORKAVU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.

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PETITIONER/ACCUSED:

**P. BHUVANENDRAN NAIR, AGED 51 YEARS,
S/O.SARASWATHI AMMA, RESIDING FROM BHUMIKA,
TC-6/2341 (1), KARIMANKULAM ROAD,
THITTAMANGALAM VATTIYOORKAVU, THIRUVANANTHAPURAM
TO KOCHUMOONGARA VEEDU, KOLLAMKODU P.O.,
KANYAKUMARI DISTRICT.**

**BY ADVS.SRI.SHAMMI VIJAYAN,
SMT.K.P.SANTHI,
SRI.RILGIN V.GEORGE.**

RESPONDENTS/DEFACTO COMPLAINANT & STATE

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 31.**
- 2. SIVAKALA K.NAIR, AGED 45 YEARS,
W/O.P. BHUVANENDRAN NAIR, RESIDING FROM BHUMIKA,
TC-6/2341(1), KARIMANKULAM ROAD,
THITTAMANGALAM VATTIYOORKAVU,
THIRUVANANTHAPURAM TO BCONE APPARTMENTS,
GREEN LILLIS, FLAT NO. 7, VETTAMUKKU ROAD,
THIRUMALA P.O., THIRUVANANTHAPURAM.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 BY ADV. SMT.E.U.DHANYA.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1:** THE CERTIFIED COPY OF FIR IN CRIME NO. 609/2010 OF VATTIYOORKAVU POLICE STATION.
- ANNEXURE A2:** THE CERTIFIED COPY OF THE CHARGE SHEET AND FINAL REPORT IN CRIME NO. 609/2010 OF VATTIYOORKAVU POLICE STATION.
- ANNEXURE A3:** TRUE COPY OF O.P.920/2014 OF FAMILY COURT, NEDUMANGADU.
- ANNEXURE A4:** TRUE COPY OF COMPROMISE PETITION FILED BY THE PETITIONER AND THE DEFACTO COMPLAINANT BEFORE THE FAMILY COURT, NEDUMANGADU IN O.P. 1204/2013.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

CRL.M.C.No.1044 of 2015

Dated this the 24th day of June, 2015

O R D E R

Petition filed under section 482 Cr.P.C.

2. The petitioner and the second respondent are husband and wife. The petitioner is the accused in CC.No.599/2012 on the file of the Judicial First Class Magistrate Court-II, Nedumangad. He is alleged to have subjected the second respondent to cruelty and thus committed the offences under Sections 498A, 324, 500, 506(2) of Indian Penal Code. It is submitted that the dispute between the parties has been settled. The request is to quash the proceedings in the criminal case.

3. Heard the learned counsel for the petitioner and for the second respondent and the learned Public Prosecutor.

4. The second respondent has filed an affidavit to the effect that the dispute has been settled and she has no objection to the proceedings in the criminal case being quashed. I am satisfied that the allegation is true. No public interest is involved in this case. This is a fit case to invoke the jurisdiction of this court under Section 482

Cr.P.C to quash the proceedings in the criminal case.

In the result, this CrI.M.C. is allowed. The proceedings in C.C.No.599/2012 on the file of the Judicial First Class Magistrate Court-II, Nedumangadu are quashed.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge